

IN THE STATE COURT OF FAYETTE COUNTY
STATE OF GEORGIA

RE: PEREMPTORY GARNISHMENT CALENDAR –
OCTOBER 10, 2024

FILED IN THE OFFICE OF
SUPERIOR STATE OR
MAGISTRATE COURT
2024 AUG 30 AM 8:21
SHEILA H. STANLEY
CLERK OF COURT
FAYETTE COUNTY, GA

ORDER

Pursuant to Uniform State Court Rule 20, attorneys (or parties if not represented by an attorney) in the cases which appear on the Peremptory Garnishment Calendar, a true and correct copy of which is available on the Clerk's website (www.fayetteclerk.com) **are ordered to appear at 1:00 p.m. Thursday, October 10, 2024, in Courtroom 2D**, Justice Center, 1 Center Drive, Fayetteville, Georgia, and to announce the status of the case. **Failure of the plaintiff to appear at the calendar sounding may result in the striking or dismissal without prejudice of plaintiff's action. Failure of the defendant to appear at the calendar sounding may result in striking of defendant's counterclaim, cross-claim, or third-party complaint.**

Please note: no appearance is required if (1) the entire action including all counterclaims and crossclaims are voluntarily dismissed by the filing of a dismissal with the clerk on or before September 26, 2024, at 5:00 p.m.; or (2) if a consolidated pretrial order is entered on or before September 26, 2024. The filing of a dismissal will not relieve a party/attorney from appearing at the peremptory/status calendar **unless** the dismissal is filed before September 26, 2024.

If the Defendant has filed a Bankruptcy Petition, the parties must provide written proof, **filed prior to September 26, 2024**, that the Bankruptcy case is either still pending or that the debt/liability in this case has been discharged.

Failure to comply with the cited rules (Exhibit "A") and this order shall result in dismissal of your case for want of prosecution.

This 28th day of August, 2024.



Jason B. Thompson, Judge
Fayette County State Court

Exhibit A
Peremptory Calendar – Important Information

Your case has been scheduled for a status hearing. Pursuant to Uniform State Court Rule 20, attorneys (or parties themselves, if not represented by an attorney) in the cases listed in the attached order are required to appear on **October 10, 2024, in Courtroom 2D, State Court of Fayette County, Justice Center, 1 Center Drive, Fayetteville, Georgia**, to announce the status of the case.

FAILURE TO APPEAR: Failure of the Plaintiff to appear at the calendar may result in the dismissal without prejudice of the Plaintiff's action. Failure of the Defendant to appear at the calendar may result in the striking of the Defendant's counterclaim or cross-claim. In cases where a post-judgment motion 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, 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 the close of business on **September 26, 2024**. If the Clerk's office has not received the documents by that time, the documents must be brought to court on **October 10, 2024**.

NO SERVICE CASES: In cases where the Defendant has not been served, Plaintiffs seeking additional time for service must make that request before the Judge in open court. Requests for additional time for service will not be considered in advance.

BANKRUPTCY: We do not receive updates from the Bankruptcy Court, so the parties must keep this Court apprised of the status of bankruptcy cases. If the case is currently in bankruptcy, the Plaintiff should mail the Clerk a letter to that effect; please include a copy of the bankruptcy filing. If the Defendant/Debtor 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 dismissal will be by permission of the Judge's office and only for good cause shown.

QUESTIONS: Inquiries regarding this Calendar may be directed to the Court's Staff Attorney, Kelly Espy 770-716-4266 or email: kespy@fayettecountyga.gov.