

**STATE COURT  
OF DEKALB COUNTY**

**JUDGE KIMBERLY A. ALEXANDER  
DIVISION VII**

**CIVIL MOTIONS CALENDAR**

**JULY 27, 2023**

**AT 1:30 P.M.**

**COURTROOM B  
OF THE  
JUDICIAL TOWER LOCATED  
ON THE 2<sup>ND</sup> FLOOR AT  
556 N. MCDONOUGH STREET  
DECATUR, GEORGIA 30030**

**MICHELLE A. CHEEK  
CIVIL CALENDAR CLERK**

**404-687-3985**

**E-Mail to [macheek@dekalbcountyga.gov](mailto:macheek@dekalbcountyga.gov)**

**[www.dekalbstatecourt.net](http://www.dekalbstatecourt.net)**

THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA

ORDER

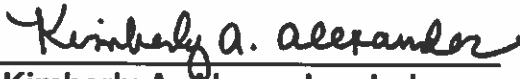
(Civil Motions Calendar)

Pending motions which are ripe for decision are hereby placed on the Civil Motions Calendar scheduled for **July 27, 2023, at 1:30 P.M.** in Courtroom B on the second floor of the Judicial Tower, located at 556 N. McDonough Street, Decatur, Georgia 30030. All parties and counsel are required to appear at the call of the Calendar and should be prepared to proceed with argument at that time.<sup>1</sup> Information concerning position on the Calendar is available at **www.dekalbstatecourt.net**.

The removal of any motion from this calendar shall be by Order of the Court only. A Motion for Continuance must be made in writing at least ten days before the hearing, and an Order must be submitted. If a case has settled or the issues have been resolved, the parties must notify **Michelle Cheek, Civil Case Manager, at (404) 687-3985** or **macheek@dekalbcountyga.gov**, and follow-up with a pleading confirming withdrawal of the motion or other disposition.

Failure to respond to the notice to appear at the Motions Calendar may result in dismissal of the pending motion or in any other action the Court may deem appropriate.

**SO ORDERED this 8th day of June, 2023.**

  
\_\_\_\_\_  
Kimberly A. Alexander, Judge  
State Court of DeKalb County

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<sup>1</sup> The Court hereby advises all parties that a corporation must be represented by an attorney in any civil proceeding in this Court. **Eckles v. Atlanta Technology Group, Inc., 267 Ga. 801, 485 S.E.2d 22 (1997)**. Any corporate party not represented by counsel by the call of this Calendar will not be heard during this calendar, and such corporate party risks the Court taking appropriate action including, but not limited to, judgment for the opposing party or dismissal of the claim or motion. Counsel for the corporate party must either appear in Court or must have filed a written entry of appearance on behalf of the corporation before the call of the Calendar.



State Court Civil Calendar  
JUDGE Kimberly A. Alexander  
Civil Motions Calendar

07/27/2023  
1:30 PM  
Courtroom 2B

Case

Parties

Attorneys

(1)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(2)

20A79042

Stuart B Russell

Bruce Berger  
Carson R Runge

--- VERSUS ---

TM Restaurant Holdings LLC,

Yamisi James  
C Bradford Marsh

TM Restaurant Group, LLC,

Kennesaw Mac, LLC,

Thomas Balkcom, and

John Does 1-5

Personal Injury

PLAINTIFF'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT



**State Court Civil Calendar**  
**JUDGE Kimberly A. Alexander**  
**Civil Motions Calendar**

07/27/2023  
1:30 PM  
Courtroom 2B

**Case**

**Parties**

**Attorneys**

( 3 )

20A83710

Tremayne Anderson

James A Rice, Jr.

--- VERSUS ---

Hardison Landscaping and  
Maintenance Services, LLC

M Steven Heath  
Mathew A Moseley

and

Gavin Hardison

Tort - Auto Accident

PLAINTIFF'S MOTION TO EXCLUDE THE  
TESTIMONY OF EVAN MCCONNELL

( 4 )

21A04126

Errol Harrison

Laura Johnson Bailey

--- VERSUS ---

Derrick Pyron

Robert Anthony Fischer

State Farm Mutual  
Automobile Insurance  
Company

Alaina S Howard

Magistrate Transfer to  
State Court

PLAINTIFF'S MOTION FOR SANCTIONS



**State Court Civil Calendar**  
**JUDGE Kimberly A. Alexander**  
**Civil Motions Calendar**

07/27/2023  
1:30 PM  
Courtroom 2B

**Case**

**Parties**

**Attorneys**

( 5 )      21A05449      Jinnat Ibraheem      Hector J Rojas, Jr.

--- VERSUS ---

Quantavius Carter

Allstate Property and  
Casualty Insurance Company

Lashawnda M Sampson

Personal Injury

DEFENDANT ALLSTATE PROPERTY &  
CASUALTY INSURANCE COMPANY'S MOTION  
TO DISMISS AS A SANCTION

( 6 )      22A02579      Qiandaye Dunn, Anthony      Rita Tucker Williams

Davis, individually and as  
parents and Natural  
Guardians of Aa' Miyah Davis,  
Aa' Tijah Davis, Ajah Davis,  
and Austin Davis

--- VERSUS ---

Milestone Management, LLC,

And

Woodberry Partners, LLC

Nneka A Egwuatu Anunobi  
David R Carducci  
Duane R Cochenour

Tort - Premise Liability

HEARING ON ALL PENDING MOTIONS

( 7 )      22A03172      David Basha      Dean R Fuchs

--- VERSUS ---

Eleazar Holyfield a/k/a  
Evan Holyfield

Preston Lee Haliburton

Contract / Account

PLAINTIFFS' MOTION FOR SUMMARY  
JUDGMENT



**State Court Civil Calendar**  
**JUDGE Kimberly A. Alexander**  
**Civil Motions Calendar**

07/27/2023  
1:30 PM  
Courtroom 2B

Case	Parties	Attorneys
( 8 )	22A03176	Robin Chestnut
		J Tyler Schermerhorn
	---	VERSUS ---
	ADE 755, LLC,	Jason D Darneille
	Duke-Ridges Holdings, LLC,	
	Duke-Ridges Hotel, LLC and	
	John Does #1-3	
	Tort - Premise Liability	DEFENDANTS ADE 755, LLC, DUKE-RIDGES HOLDINGS, LLC, AND DUKE-RIDGES HOTEL, LLC'S MOTION TO TRANSFER VENUE FOR FORUM NON CONVENIENS
( 9 )	22A04228	State Farm Mutual
		Automobile Insurance
		Company a/s/o
		Njeri N Maxwell
	---	VERSUS ---
	Ruff Leasing, LLC	
	Contract / Account	PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT



**State Court Civil Calendar**  
**JUDGE Kimberly A. Alexander**  
**Civil Motions Calendar**

07/27/2023  
1:30 PM  
Courtroom 2B

**Case**

**Parties**

**Attorneys**

( 10 )

23A00292

Timothy Barnhill

Benjamin J Welch  
Allison M Whitfield

--- VERSUS ---

Dekalb County, Georgia,  
Et al

Sean E Boyd  
John McKinley, Jr  
Jacquita Parks  
William R Johnson  
Irene Vander Els  
Laura K Johnson  
Tristen N Waite  
Jeffery Emery Tompkins  
Tiffany Carter Sellers  
Dawn N Pettigrew  
Brad C Parrott

State General Civil

DEFENDANT CITY OF ATLANTA'S MOTION TO  
DISMISS PLAINTIFF'S COMPLAINT

DEFENDANTS DEKALB COUNTY, GEORGIA  
AND DEKALB COUNTY DEPARTMENT OF  
PUBLIC WORKS' MOTION TO DISMISS AND TO  
STAY DISCOVERY

DEFENDANT CITY OF ATLANTA'S MOTION TO  
DISMISS PLAINTIFF'S FIRST AMENDED  
COMPLAINT