



Supreme Court of Georgia

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SUMMARIES OF OPINIONS

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BARKING HOUND VILLAGE, LLC ET AL. V. MONYAK (S15G1184)

In this high-profile **Fulton County** case involving how to measure the value of a pet, the Supreme Court of Georgia has ruled in favor of a couple who sued a dog kennel for negligence in its treatment of their dog.

Chief Justice Hugh Thompson writes for a unanimous court that when a person's pet dies or is injured due to another's negligence, that person is eligible to collect monetary damages not only based on the fair market value of the animal, but also based on what the owner spent in veterinary and other costs in trying to save the animal.

In May 2012, Robert and Elizabeth Monyak boarded their two dogs, Lola, an 8 1/2-year-old dachshund mix, and Callie, a 13-year-old mixed labrador retriever, for 10 days at Barking Hound Village, a kennel company that provides "luxury dog boarding" at multiple locations. Callie had been prescribed Rimadyl, an anti-inflammatory drug, for arthritis. Lola was on no medication other than a preventative heartworm which she received only once a month. According to the Monyaks, after they picked up their dogs, Lola quickly exhibited symptoms of being ill, and they took her to their veterinarian, who eventually diagnosed Lola with acute kidney failure caused by Rimadyl. Lola was later transferred for kidney dialysis, but died nine months later.

The Monyaks sued Barking Hound Village and its manager for negligence, fraud, and deceit, claiming that kennel staff had administered the wrong medicine to Lola, which caused acute kidney failure and ultimately her death. And they claimed that the kennel had attempted to cover it up. The Monyaks sought to recover damages, which included more than \$67,000 in veterinary and other expenses incurred in treating Lola. Barking Hound Village filed a motion

asking the court to grant “summary judgment” in its favor, claiming that the measure of damages should be capped at Lola’s fair market value – or the price she would command in the marketplace. And because the Monyaks had failed to present evidence that Lola had any fair market value at all, their lawsuit should be barred. (A court grants summary judgment when it determines there is no need for a jury trial because the facts are undisputed and the law falls squarely on the side of one of the parties.)

The trial judge granted the kennel’s motion for summary judgment regarding the Monyaks’ claim of fraud, but otherwise denied the motion, rejecting a cap on damages based on the animal’s fair market value. The trial court also held that when the case goes to trial, the Monyaks could present evidence of the dog’s actual value just to them, which could include reasonable veterinary and other expenses incurred in her treatment, as well as evidence of non-economic factors demonstrating the dog’s intrinsic, or sentimental, value to the Monyaks. On appeal, the Court of Appeals upheld the trial court’s rejection of a fair market value cap on damages. Observing that not all pets have an actual commercial or market value, the Court of Appeals ruled that where the market value of the animal was non-existent or nominal, as in Lola’s case, the appropriate measure of damages would be the “actual value” of the pet to its owners. However, the Court of Appeals reversed the trial court’s ruling that would have allowed the admission of non-economic evidence to prove the dog’s intrinsic value.

Barking Hound Village and its manager then appealed the pre-trial ruling to the state Supreme Court, arguing that the Court of Appeals erred in ruling that the standard of damages in this case was the “actual value” of the dog to her owners as opposed to the pet’s fair market value, which is the standard that generally applies in lawsuits over the negligent loss of personal property. Barking Hound Village contended that under the fair market value standard, the only damages the Monyaks could recover could not exceed Lola’s fair market value at the time of her injury. This Court agreed to review the case to determine whether the proper measure of damages for the loss of a pet is the value of the dog to its owners or the dog’s fair market value.

At the outset, the high court acknowledges in today’s 21-page opinion that the “subject matter of this case is near and dear to the heart of many a Georgian in that it involves the untimely death of a beloved family pet and concerns the proper measure of damages available to the owners of an animal injured or killed through the negligence of others.” This court also acknowledges that under Georgia law, a pet dog has value and is considered personal property. But based on precedent-setting cases by the Georgia Supreme Court that are over 100 years old, “we find the Court of Appeals erred in deciding that application of an actual value to owner standard was the appropriate measure of recoverable damages, but additionally find that a cap on all damages based on application of the fair market value standard as urged by defendants is likewise incorrect.”

“Generally, in a suit to recover damages to personal property it is a well-established principle that ‘a plaintiff cannot recover an amount of damages...greater than the fair market value of the property prior to impairment,’” today’s opinion says. “However, over 120 years ago this Court decided that such a limitation was not appropriate in negligence cases involving the injury or death of an animal. Instead, this Court determined that where an animal is negligently injured and subsequently dies as a result of those injuries, the proper measure of damages recoverable by the animal’s owner includes not only the full market value of the animal at the

time of the loss plus interest, but also expenses incurred by the owner in an effort to cure the animal.”

“Because we find that long-standing Georgia precedent provides that the damages recoverable by the owners of an animal negligently killed by another include both the animal’s fair market value at the time of the loss plus interest, and in addition, any medical and other expenses reasonably incurred in treating the animal, we affirm in part and reverse in part the Court of Appeals decision,” today’s opinion says. Specifically, the high court is reversing the Court of Appeals’ decision that the proper measure of recoverable damages in cases involving the negligent death of an animal is based on the value of the animal to its owners, as opposed to the animal’s fair market value. “We affirm, however, that portion of the Court of Appeals’ decision holding that damages representing an animal’s sentimental value to its owner are not recoverable, although we find that descriptive evidence, both qualitative and quantitative, is admissible to establish an animal’s attributes for determining its fair market value, as well as for determining the reasonableness of an owner’s expenditures for veterinary expenses.”

“While we are sympathetic to the concerns expressed by the parties and others regarding the difficulties in establishing the fair market value of a family pet,” in a 1907 opinion, the Georgia Supreme Court provided guidance, writing that the “value of a dog may be proved, as that of any other property, by evidence that he was of a particular breed, and had certain qualities, and by witnesses who knew the market value of such animal, if any market value be shown.”

Although amicus briefs filed in this case by a number of organizations such as the Animal Legal Defense Fund, urge that Georgia law allow for the recovery of damages based on a pet’s sentimental value to its owner, “we find no error in [the Court of Appeals’] determination that Georgia precedent does not allow for the recovery of damages based on the sentimental value of personal property to its owner,” the opinion says. “Instead, we agree with those courts which have held that the unique human-animal bond, while cherished, is beyond legal measure.”

However, “we see no reason why opinion evidence, both qualitative and quantitative, of an animal’s particular attributes – e.g. breed, age, training, temperament, and use – should be any less admissible than similar evidence offered in describing the value of other types of personal property,” the opinion says. “The key is ensuring that such evidence relates to the value of the dog in a fair market, not the value of the dog solely to its owner.” Ultimately, if the Monyaks prevail in their lawsuit, it will be up to a jury to decide the fair market value of Lola, as well as the reasonable veterinary expenses they incurred as the basis for the damages they may be awarded.

Attorneys for Appellant (Barking Hound Village): Joel McKie and Andrew Hazen

Attorneys for Appellees (Monyak): Robert Monyak and Jonathan Peters

REGENT v. THE STATE (S15G1829)

A man convicted in **Fulton County** of two overlapping crimes and sentenced to prison for slitting his girlfriend’s throat has had one of those convictions thrown out under a decision today by the Georgia Supreme Court.

With today’s decision, the high court has reversed the judgment of the Georgia Court of Appeals and ruled that under the law, Steven Regent should not have been convicted and sentenced for both aggravated assault and aggravated battery for assaulting his girlfriend in 2008.

“We now hold that Regent’s conviction for aggravated assault merged with his conviction for aggravated battery, and we reverse the judgment of the Court of Appeals,” **Justice Carol Hunstein** writes for a unanimous court. The case is being remanded to the Court of Appeals to fix its erroneous ruling that upheld the Fulton County court’s decision in the case.

According to the evidence at trial, in January 2008, Regent, in a fit of rage, punched Margaret Fischer repeatedly, got a knife from the kitchen, and while she was lying on the floor, straddled her and cut her throat twice, in quick succession, nearly slicing off her ear. Fisher was left disfigured and today has trouble speaking, eating and swallowing. She has no feeling on the injured side of her face and no sense of taste.

Regent was indicted on one count of aggravated battery and one count of the less serious crime of aggravated assault. The indictment read that Regent was charged with aggravated assault because he “did unlawfully commit an assault upon the [victim] by cutting her throat with a knife, an object which when used offensively against a person is likely to result in serious bodily injury.” He was charged with aggravated battery because he “did maliciously cause bodily harm to [the victim] by seriously disfiguring her body; said accused having accomplished said act by slashing her across the throat with a knife.” After Regent pleaded guilty to both charges in a plea arrangement, the judge sentenced him to 20 years for the aggravated assault count, 12 of which would be served in prison and the remaining eight on probation. On the aggravated battery count, the judge sentenced Regent to 10 years on probation to run consecutive to his punishment for aggravated assault. In 2009, representing himself “pro se,” Regent filed a Motion to Void and Vacate Illegal Conviction and Sentence on the aggravated assault count, claiming the trial court erred by failing to “merge” the aggravated assault count into the more serious aggravated battery count. If a person is convicted of multiple crimes involving the same incident, courts are supposed to “merge” them into the most serious offense and treat them as a single crime for sentencing purposes. Generally, the sentence for the merged crime is then vacated, leaving intact the sentence for the more serious crime. The trial court denied Regent’s motion, and on appeal, the Georgia Court of Appeals agreed with the trial court and upheld the lower court’s ruling, concluding that “aggravated assault and aggravated battery are two separate offenses with different elements of proof,” and therefore the two offenses did not merge. Regent then appealed to the Georgia Supreme Court, which agreed to review the case to determine “whether the Court of Appeals erred in its analysis of whether the convictions for aggravated battery and aggravated assault merge.”

In today’s opinion, the high court concludes that the Court of Appeals was wrong. “As an initial matter, the indictment appears to charge Appellant [i.e. Regent] as if each slice of the knife was a separate criminal act, the first count charging aggravated assault based on Appellant’s act of ‘cutting’ the victim’s throat and the second count charging aggravated battery based on Appellant’s act of ‘slashing’ the victim’s throat,” the opinion says. However, “our case law plainly holds that multiple wounds inflicted in quick succession do not necessarily constitute distinct criminal acts.”

The record shows that Regent’s actions were “part of a continuous criminal act, committed at the same time and place and inspired by the same criminal intent,” the opinion says.

Furthermore, Georgia Code § 16-1-6, subsection (2) states that one crime is “included” in another crime if that crime differs from the other “only in the respect that a less serious injury or

risk of injury to the same person, property or public interest...suffices to establish its commission.” For instance, the opinion explains, in a 2011 case, the Georgia Supreme Court concluded “that the only difference between aggravated battery and murder is that the former requires a less serious injury to the person of the victim, as the injury to a bodily member specified in the aggravated battery statute is obviously less serious than death. Likewise, the offenses here, which are based on the single criminal act of Appellant cutting the victim’s throat with a knife, only differ with respect to the seriousness of the injury or risk of injury suffered by the victim.”

“Accordingly, as charged here, aggravated assault is included in aggravated battery, and the two offenses should have merged,” the opinion says. “The trial court erred by failing to merge aggravated assault with aggravated battery, and the Court of Appeals erroneously affirmed that decision.”

Attorney for Appellant (Regent): Kenneth Kondritze and Tamara Crowford of the Atlanta Circuit Public Defender’s Office

Attorneys for Appellees (State): Paul Howard, Jr., District Attorney, Paige Whitaker, Dep. D.A., and Michael Snow, Asst. D.A.

MAYS V. SOUTHERN RESOURCES CONSULTANTS, INC. (S16A0516)

The Supreme Court of Georgia has ruled in favor of a woman who appealed an injunction that ordered her to stop caring for a developmentally disabled woman she had cared for in her home for more than eight years.

With today’s unanimous opinion, written by **Presiding Justice P. Harris Hines**, the high court has reversed part of a Clayton County judge’s ruling, thrown out another part, and is sending the case back to the lower court.

According to the facts of the case, Linda Mays cared for “S.F.”, a developmentally disabled ward of the state who lived with Mays in her home. Southern Resources Consultants, Inc., a company which provides state-funded residential services to Medicaid-funded developmentally disabled individuals, was contracted by the Georgia Department of Behavioral Health and Developmental Disabilities to provide in-home care for S.F. Mays entered into a sub-contract agreement with Southern Resources Consultants for the actual housing of S.F., beginning in 2006. In 2014, S.F. became increasingly dissatisfied with Southern Resources Consultants. She asked her legal guardian with the Georgia Department of Human Resources to terminate her relationship with Southern Resources Consultants and transfer her care to a different residential services provider. At the same time, she requested she be permitted to stay in the home under Mays’ care. At the time, the Department’s policy prohibited an at-home provider such as Mays from terminating its contract with a residential services provider and then continuing to serve the individual who had been in the at-home provider’s care. To execute S.F.’s desires, the Department issued a waiver of its regulations to allow S.F. to stay in Mays’ home, while changing residential service providers.

In June 2014, Southern Resources Consultants sued Mays for, among other things, breach of contract and violation of the Georgia Trade Secrets Act, and asked the court for an “interlocutory” – or pretrial – injunction. In September 2014, the trial court granted the company’s injunction request. The injunction contained three provisions, ordering Mays (1) to stop possessing or disseminating Southern Resources Consultants’ confidential proprietary or

trade secret information, (2) to “cease and desist” caring for S.F. in her home within 72 hours, and (3) to stop possessing or disseminating S.F.’s private information. Mays filed an emergency motion to stay the change in S.F.’s care, and on Sept. 18, 2014, the Georgia Supreme Court issued an order staying the injunction and allowing S.F. to continue living at Mays’ home until the completion of this appeal.

Today’s opinion points out that “this Court will not disturb an injunction fashioned by the trial court unless a manifest abuse of discretion is shown or unless there was no evidence upon which to base the ruling.”

“This is precisely the situation with regard to the first provision of the interlocutory injunction ordering Mays not to possess or disseminate Southern Resources Consultants’ confidential information which was required to be returned to Southern Resources Consultants by a prior order of the superior court; the evidence did not support it. In fact, the evidence was quite to the contrary.”

By the time of the hearing on the injunction, Mays had already returned to the company its alleged confidential information, and Mays neither possessed nor was disseminating any. “Thus, there was no evidence upon which to base a directive to Mays that she was not to continue to possess or disseminate Southern Resources Consultants’ confidential, proprietary, and other trade secret information; indeed, such ruling was requiring Mays to perform acts which she could not do. Consequently, the relief granted in the first provision of the interlocutory injunction is a nullity and must be reversed.”

As to the second and third provisions of the pre-trial injunction, they were based on a “Non-Compete Agreement” in the contract, which has since expired. “Consequently, and as the parties agree, these provisions of the interlocutory injunction are now moot.”

“Accordingly, the interlocutory injunction is hereby reversed in part and vacated in part, and the case is remanded to the superior court for proceedings consistent with this opinion.”

Attorney for Appellant (Mays): Holly Pierson of Pierson Law LLC

Attorney for Appellee (Southern Resources Consultants, Inc.): Richard Witterman of Witterman Law Group, LLC

THE STATE V. PHILPOT

When a man goes on trial for armed robbery and murder, the jury won’t hear about his admission to Atlanta Police detectives that he was involved in the crimes in which one man was killed and four others were injured.

Under today’s unanimous opinion, the Georgia Supreme Court has upheld a ruling by **Fulton County** Superior Court Judge Thomas Campbell that Brandon Philpot’s recorded statement to Atlanta Detectives David Quinn and Brett Zimbrick must be suppressed because the detectives continued to question him after he repeatedly asked for an attorney.

“If the police persist in questioning a suspect who has requested that counsel be present, any resulting statements made by the suspect are inadmissible in the State’s case-in-chief,”

Justice David Nahmias writes in today’s opinion.

According to prosecutors in the Fulton County District Attorney’s office, on Sept. 28, 2010, Philpot, Travis Yarbrough and others broke into a home on Martin Street in Atlanta. During gunfire, three men were shot, including Aaron Holloway, who later died at Grady hospital. A woman trying to escape broke her leg after jumping from a balcony, and a man who

was also fleeing the gunfire received scrapes and bruises. Two days later, Philpot and Yarbrough were identified in photo line-ups by one of the surviving victims as two of the people who had invaded the home and were involved in the shooting. Two years later, Philpot was arrested and questioned for about an hour by Detectives Quinn and Zimbrick of the Atlanta Police Department. The interview was audio recorded, apparently surreptitiously, by a device Quinn had on him.

At the start of the interview, Quinn began informing Philpot of his rights under the U.S. Supreme Court's 1966 ruling in *Miranda v. Arizona*, which include having an attorney present before answering questions by police while in their custody. Philpot can be heard in the recording clearly asking Quinn to call his "old lady" and ask her to call his lawyer, "Ed." "I need you to call my old lady to get the number," he says.

"Well, do you want your lawyer for court or you want him here right now?" Quinn says.

"Is he going to come?" Philpot asks.

"Well, see, I don't know about your lawyer," Quinn says. "I don't know nothing about him."

"You know what I'm sayin', y'all ain't called my old lady yet," Philpot says. "I'm trying to see what's really going on."

The banter continues, and eventually, Philpot says, "Look, could you call my lawyer. Call my lawyer."

During the questioning, Philpot initially denied he knew anyone named Travis Yarbrough. Quinn said he knew Philpot and Yarbrough were friends and that Yarbrough had been arrested by federal authorities. Zimbrick then reiterated that Philpot needed to agree to speak without his attorney, and said Philpot was sending them "mixed signals." Again Philpot said, "I need to speak with her so she can call my lawyer, and then we can proceed from there, but I really want to know what's going on."

At one point, Quinn said, "So we can't tell you what's up because you said something about a lawyer. I was prepared to tell you everything we got, tell you what Travis told me and all that, but I can't do that now."

Quinn accused Philpot of lying, Philpot protested he was telling the truth, and eventually Philpot admitted he knew Yarbrough and had been involved in the robbery and murder, first only as the look-out and then as the one who had held at gunpoint the victim who later identified him in the photo lineup.

In December 2012, Philpot and Yarbrough were indicted for murder, armed robbery, aggravated assault and other crimes. Philpot subsequently filed a motion asking the court to suppress his recorded statement when the case went to trial. The trial court held a hearing and on June 22, 2015, granted Philpot's motion, finding that under the "totality of the circumstances," Philpot had unambiguously invoked his right to counsel, reiterating "no less than six times, that he desired to call his girlfriend so she could contact his lawyer."

"We affirm the trial court's decision," today's opinion from the high court says. "The facts pertinent to our analysis are essentially undisputed; where the State has offered a different view, we rely on what is clear from the audio recording of the interview and on the findings in the trial court's order, which are supported by the recording. The legal principles governing this case are also unquestioned: A suspect who asks for a lawyer at any time during a custodial

interrogation may not be subjected to further questioning by law enforcement until an attorney has been made available or until the suspect reinitiates the conversation.”

Quoting from a 2011 decision in another Georgia Supreme Court case, the opinion says: “There was no ambiguity or equivocation in [Philpot’s] statement....Any ambiguity was created solely by the...subsequent questioning.”

“For these reasons, we affirm the trial court’s order granting Philpot’s motion to suppress his custodial statement,” the opinion concludes.

Attorneys for Appellant (State): Paul Howard, Jr., District Attorney, Paige Whitaker, Dep. D.A., David Getachew-Smith, Chief Sr. Asst. D.A.

Attorney for Appellee (Philpot): Charita Demps

DAVIS V. THE STATE (S16A0103)

A man convicted in **Toombs County** of murdering his girlfriend’s 13-month-old baby girl has lost his appeal before the Georgia Supreme Court.

In an opinion today, **Justice David Nahmias** writes for a unanimous court that the evidence presented at trial against Sean Davis “was sufficient to authorize a rational jury to find [Davis] guilty beyond a reasonable doubt of felony murder and first-degree child cruelty.”

According to that evidence, on April 27, 2009, Morrisha McLain left her 13-month old daughter, Nila, in the care of Davis while she worked the night shift at a nearby convenience store, Flash Floods. McLain had been dating Davis a little more than a month, and the couple had an arrangement that he would take care of Nila and her 3-year-old brother while their mother worked. McLain, who lived in the Ramonia Apartments in Vidalia, was able to walk to work. Around 11:40 p.m. on April 27, McLain left for work, leaving her children in Davis’s care. No one else was at the apartment and Nila appeared healthy when her mother left. At about 7:40 the next morning near the end of McLain’s shift, Davis called her and said Nila wasn’t breathing right and it appeared she might have had a seizure. McLain told her boss she needed to leave, and someone in the store offered to drive her home. As they rushed to her apartment, McLain called 911. When she arrived home, she found Nila in her bedroom propped up on pillows. The baby was not breathing. McLain took Nila to the kitchen table and attempted to perform CPR. Moments later, an ambulance arrived and McLain accompanied Nila to Meadows Regional Medical Center in Vidalia, while Davis remained at the apartment with McLain’s other child. Once Nila was stabilized, she was flown to Memorial Hospital in Savannah but died the next day.

The medical examiner who autopsied the child testified at trial that she had 26 external injuries on her head and face, including hair loss, abrasions, bruises and healing lesions. She also had bruises and abrasions on her back and legs, as well as a skull fracture and several internal injuries, including a brain swelling and hemorrhaging and ruptured blood vessels. The injuries to her skull and brain were the cause of her death. Three of the doctors who treated the child in Savannah testified they believed her injuries were caused by recent blunt force to her head and from a back-and-forth movement such as shaking, and not from falling off furniture.

Davis was indicted for malice murder, felony murder based on first degree child cruelty, and first degree child cruelty. At trial, Davis testified he had not struck, shaken or hurt Nila, and he did not know how she had been injured. His attorney elicited testimony from Davis and McLain that several days before Nila quit breathing, she had fallen off her bed and gotten

wedged between the bed and the wall. Another time, when her mother and Davis were in bed together, the toddler had tried to climb onto the bed and fallen off, striking her head on the floor. Davis presented expert testimony from a pediatric forensic pathologist who said that prior accidental falls could have resulted in Nila's injuries and death. In rebuttal, the State's expert testified that the child's lethal injuries had occurred less than a day before her death and could not have been caused by an earlier fall.

Following a three-day trial in June 2013, the jury acquitted Davis of malice murder but convicted him of felony murder and child cruelty. He was sentenced to life in prison and 20 years to be served concurrently with his life sentence. He then appealed to the Georgia Supreme Court, arguing that his trial attorney had provided "ineffective assistance of counsel," in violation of his constitutional rights.

In today's 25-page opinion, the high court rejects Davis's arguments, finding that Davis failed to carry his burden of proving not only that his trial attorney was deficient in his performance, but also that there was "a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different."

In a "final important note," the opinion takes to task attorneys for both parties for failing to consider relevant portions of Georgia's new Evidence Code, which took effect in 2013 and speaks directly to Davis's arguments. This case was tried under the new Evidence Code, "and the key evidence rules we must apply differ from the pertinent provisions of the old Evidence Code and instead track the analogous federal evidence rules, meaning that we will look to those federal rules and the federal case law interpreting them for guidance." And yet, "neither party cited any case law interpreting these provisions of the new Evidence Code or the parallel provisions of the Federal Rules of Evidence."

"Georgia lawyers do this Court no favors – and risk obtaining reversible evidence rulings from trial courts – when they fail to recognize that we are all living in a new evidence world and are required to analyze and apply the new law," today's opinion says. "We trust that this shortcoming will not be repeated in future cases coming to this Court."

While the Supreme Court has upheld Davis's felony murder conviction and life prison sentence, the trial court erred in entering a judgment of conviction on the child cruelty count because it was the basis for the felony murder conviction. The trial court should have merged the child cruelty count into the felony murder conviction. As a result, "we vacate Appellant's conviction and sentence for child cruelty," the opinion says.

Attorney for Appellant (Davis): Brandi Payne, Circuit Public Defender

Attorneys for Appellee (State): Hayward Altman, District Attorney, Mary McKinnon, Spec. Asst. D.A., Samuel Olens, Attorney General, Beth Burton, Dep. A.G., Paula Smith

IN OTHER CASES, the Supreme Court of Georgia has upheld **murder** convictions and life prison sentences for:

- * Darrell Anderson (Dougherty Co.)
- * Joshua Clark (Fulton Co.)
- * Furman Mims (Richmond Co.)

ANDERSON V. THE STATE (S16A0190)
CLARK V. THE STATE (S16A0230)
MIMS V. THE STATE (S16A0542)

- * Adrian Murdock (DeKalb Co.) **MURDOCK V. THE STATE (S16A0082)**
- * Dorunte Cortez Williams (Clarke Co.) **WILLIAMS V. THE STATE (S16A0357)**

IN DISCIPLINARY MATTERS, the Georgia Supreme Court has accepted a petition for voluntary discipline and ordered a **Review Panel reprimand** of attorney:

- * Tiffini Colette Bell **IN THE MATTER OF: TIFFINI COLETTE BELL**
(S16Y1280)*

* (This opinion is a substitute for an opinion that was issued May 23, 2016 in which the Court ordered a public reprimand. With this opinion, the Court has changed the discipline to a review panel reprimand, which is a less severe sanction.)