



SUPREME COURT OF GEORGIA  
Case No. S18C1022

Atlanta, September 24, 2018

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

**MERCER UNIVERSITY v. JOHN STOFER et al.**

Court of Appeals Case No. A17A1515

The Supreme Court today granted the writ of certiorari in this case. Melton, C.J., Nahmias, P.J., Benham, Hunstein, Blackwell, Boggs, and Peterson, JJ., concur. Warren, J., not participating.

This case will be assigned to the January 2019 oral argument calendar automatically under Supreme Court Rule 50 (2), as amended September 13, 1996. Oral argument is mandatory in granted certiorari cases.

This Court is particularly concerned with the following issue or issues:

1. What is the correct test under the Recreational Property Act, OCGA § 51-3-20 et seq., to determine whether a property owner who permits the use of the property by others for “recreational purposes” is entitled to immunity?
2. Is the test for determining the issue of immunity under the Act a question of law for the court to decide, or a question of act for the jury?

Briefs should be submitted only on these points. See Supreme Court Rule 45.

**SUPREME COURT OF THE STATE OF GEORGIA**

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

, Clerk