



SUPREME COURT OF GEORGIA  
Case No. S20C0695

August 10, 2020

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

BRIANNA JOHNSON v. AVIS RENT A CAR SYSTEM, LLC et al.

Court of Appeals Case No. A19A0928, A19A0929

The Supreme Court today granted the writ of certiorari in this case.

*All the Justices concur, except Bethel, J., who dissents. Blackwell, J., not participating, and Peterson and McMillian, JJ., disqualified.*

This case will be assigned to the December 2020 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) Did the Court of Appeals err in Divisions 2 of the opinions below in determining that the employee's intervening criminal conduct was the proximate cause of the petitioners' injuries, such that the respondents were entitled to judgment as a matter of law on the petitioners' direct negligence claims?

(2) Did the Court of Appeals err in Division 5 of the Smith opinion in determining that the respondents were entitled to a directed verdict on petitioner's negligent hiring and retention claim, because their employee was not acting "under color of employment" when he collided with petitioner?

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