

COURT OF APPEALS OF THE STATE OF GEORGIA

Alpha Soda Company, Inc., et al. v. Andrew J. Ekonomou, Receiver for MVP Investment Company

A17A1115 · No. A17A1115 · Decided September 15, 2017

SUMMARY

The Georgia Court of Appeals issued an order correcting a clerical error in its docket. The order confirms that case A17A1115 was remanded to the trial court pursuant to the Court's August 14, 2017 order, and states that the prior remand was unaffected.

CASE DETAILS

COURT	Court of Appeals of the State of Georgia
JURISDICTION	Georgia
DECIDED	September 15, 2017
DOCKET	A17A1115
DISPOSITION	remanded
PROCEDURAL POSTURE	The Court of Appeals issued a per curiam order correcting a clerical error in its docket concerning the remand of case A17A1115.
PRECEDENTIAL VALUE	published
PARTIES	Alpha Soda Company, Inc., et al. v. Andrew J. Ekonomou, Receiver for MVP Investment Company

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether the appellate docket should be corrected to reflect the previously ordered remand of case A17A1115.

HOLDINGS

1. The Court of Appeals ordered that its docket reflect that A17A1115 was remanded to the trial court pursuant to the court's August 14, 2017 order.

KEY QUOTATIONS

“The remand of August 14, 2017 is unaffected by this order.”

FACTUAL BACKGROUND

The Court of Appeals had previously ordered the remand of A17A1115 and A17A1561 to the trial court. A clerical error caused the appellate docket to reflect the remand of only A17A1561. The present order corrects the docket to record the remand of A17A1115.

PROCEDURAL HISTORY

By order dated August 14, 2017, the Court of Appeals remanded A17A1115 and A17A1561 to the trial court. Because of a clerical error, only A17A1561 was recorded as remanded on the appellate docket. The court issued this order to reflect that A17A1115 was also remanded pursuant to the August 14 order, without altering that remand.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The appellate docket is to reflect that A17A1115 is remanded to the trial court pursuant to the August 14, 2017 order. The August 14, 2017 remand remains unaffected.

OPINION

PER CURIAM.

Court of Appeals of the State of Georgia ATLANTA, _____ September 07, 2017
The Court of Appeals hereby passes the following order: A17A1115. ALPHA SODA COMPANY, INC., et al. v. ANDREW J. EKONOMOU, RECEIVER FOR MVP INVESTMENT COMPANY. By order dated August 14, 2017, this Court remanded A17A1115 and A17A1561 to the trial court. Due to clerical error, only A17A1561 was properly recorded as remanded on this Court's docket.

To facilitate correction of this error, the Court hereby issues this order to reflect on the Court's docket that A17A1115 is remanded to the trial court pursuant to the order of August 14, 2017. The remand of August 14, 2017 is unaffected by this order. Court of Appeals of the State of Georgia Clerk's Office, Atlanta, _____ 09/07/2017 I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.

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

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