

IN THE SUPERIOR COURT OF RICHMOND COUNTY

STATE OF GEORGIA

GEORGIACARRY.ORG, INC.,	*	
AND	*	
KEVIN FOX,	*	CIVIL ACTION
PLAINTIFFS,	*	FILE NUMBER 2014RCCV437
v.	*	
	*	
RICHARD ROUNDTREE,	*	
IN HIS OFFICIAL CAPACITY AS	*	
SHERIFF OF RICHMOND COUNTY,	*	
GEORGIA,	*	
DEFENDANT.	*	

ORDER ON MOTIONS FOR SUMMARY JUDGMENT BY BOTH PARTIES

This case came on for hearing on competing Motions for Summary Judgment by both Plaintiffs and Defendants. After consideration of the competing arguments by both parties, it is hereby ORDERED as follows:

Both parties have filed competing Motions for Summary Judgment. This case involves an alleged County Ordinance that was passed by Richmond County Georgia. Ordinance 7409 was allegedly adopted on or about May 21, 2013 by the Richmond County Commission. A copy of that Ordinance was purportedly attached to the Complaint filed by Plaintiff. However, it has been alleged that the copy of the Ordinance that was attached to Plaintiff's Complaint is not a copy of the Ordinance as passed. Importantly, the copy of the Ordinance that was attached to Plaintiff's Complaint has a "strike-through" in the most relevant portion, that being Sec. 6-6-17, which changes the number of days that a pawnbroker must wait to transfer property from 30 days to 10 days. Neither party has filed a certified copy of the actual Ordinance with the Court for consideration. Both parties are hotly contesting the specific language of the Ordinance but

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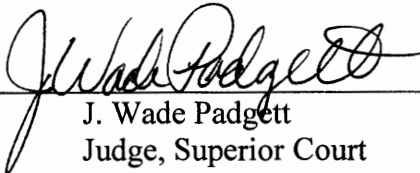
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neither has supplied the Court with a copy of the relevant ordinance that has been certified as passed.

Therefore, because there are material, factual issues that have not been resolved which are at the heart of the case, both Motions for Summary Judgment are hereby DENIED.

So Ordered, this 1 day of July, 2016.



J. Wade Padgett
Judge, Superior Court
Augusta Judicial Circuit