

**COPY**

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY  
STATE OF GEORGIA

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GEORGIACARRY.ORG, INC.  
DONALD A. WALKER,

Plaintiffs,

vs.

ATHENS-CLARKE COUNTY, GEORGIA

Defendant.

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BEVERLY LOGAN, CLERK  
CLARKE COUNTY, GEORGIA

DOCKET INITIALS

CASE NO. SU-07-CV-2375-J

**ANSWER OF DEFENDANT**

Comes now the Defendant in the above-styled action, said Defendant being correctly known as The Unified Government of Athens-Clarke County, and files this Answer to Plaintiffs' Complaint.

**FIRST DEFENSE**

Defendant responds to the numbered paragraphs of the Complaint as follows:

1.

Defendant denies the allegations of paragraph 1 of the Complaint.

2.

Defendant admits the allegations of paragraph 2 of the Complaint.

3.

Defendant is without sufficient information or belief to admit or deny the averments of paragraph 3 of the Complaint.

4.

Defendant is without sufficient information or belief to admit or deny the averments of paragraph 4 of the Complaint.

5.

Defendant is without sufficient information or belief to admit or deny the averments of paragraph 5 of the Complaint.

6.

Defendant admits the allegations of paragraph 6 of the Complaint and adds that Defendant is a consolidated city-county government established by Charter.

7.

Defendant admits the allegations of paragraph 7 of the Complaint.

8.

Defendant admits the allegations of paragraph 8 of the Complaint.

9.

Defendant admits the allegations of paragraph 9 of the Complaint.

10.

Defendant is without sufficient information or belief to admit or deny the averments of paragraph 10 of the Complaint.

11.

Defendant is without sufficient information or belief to admit or deny the averments of paragraph 11 of the Complaint.

12.

Defendant is without sufficient information or belief to admit or deny the averments of paragraph 12 of the Complaint.

13.

Defendant admits the allegations of paragraph 13 of the Complaint.

**14.**

Defendant admits the allegations of paragraph 14 of the Complaint.

**15.**

Defendant admits the allegations of paragraph 15 of the Complaint.

**16.**

Defendant admits the allegations of paragraph 16 of the Complaint.

**17.**

Defendant denies the allegations of paragraph 17 of the Complaint because the quoted language may or may not be “pertinent,” and states that stating that the cited provision of the Georgia Constitution speaks for itself.

**18.**

Defendant admits as stated in paragraph 18 of the complaint that “(t)he General Assembly has made provision in general law for the carrying and possession of firearms,” and that such provision is contained in the cited sections from the Official Code of Georgia Annotated. Defendant denies the remaining allegation of paragraph 18 of the Complaint.

**19.**

Defendant admits the portion of paragraph 19 of the Complaint that cites sections of the Official Code of Georgia Annotated and that such sections speak for themselves. Defendant denies the remaining allegation of paragraph 19 of the Complaint.

**20.**

Defendant denies the allegations of paragraph 20 of the Complaint.

**21.**

Defendant denies the allegations of paragraph 21 of the Complaint.

22.

Defendant denies the allegations of paragraph 22 of the Complaint.

23.

Defendant denies the allegations of paragraph 23 of the Complaint.

24.

Defendant denies the allegations of paragraph 24 of the Complaint.

25.


Defendant denies the allegations of paragraph 25 of the Complaint.

### **SECOND DEFENSE**

Defendant's ordinance prohibiting the possession of firearms in parks operated by Defendant is a proper exercise of Defendant's legislative powers under the Constitution and laws of the State of Georgia and is authorized by applicable law.

Wherefore, Defendant prays that Plaintiff's Complaint be dismissed with prejudice and that the Court grant to Defendant such other relief as is appropriate under the circumstances.

RESPECTFULLY SUBMITTED, this 12<sup>th</sup> day of November, 2007.

  
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William C. Berryman, Jr., County Attorney  
Athens-Clarke County, Georgia  
State Bar ID # 055675

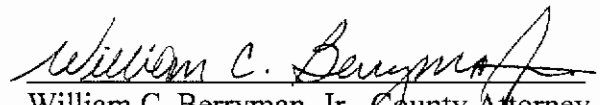
P.O. Box 427  
Athens, GA 30603  
(706) 613-3035

CERTIFICATE OF SERVICE

This is to certify that I have this date served a true and correct copy of the foregoing **Answer of Defendant**, upon counsel by depositing a copy of same in the U.S. Mail with sufficient postage thereon to insure delivery to:

John R. Monroe  
9640 Coleman Road  
Roswell, Georgia 30075

This 12<sup>th</sup> day of November, 2007.

  
William C. Berryman, Jr., County Attorney  
Athens-Clarke County, Georgia  
State Bar ID # 055675

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