

**IN THE SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA**

GEORGIACARRY.ORG, INC.,	and)	
IZIAH SMITH,)	
Plaintiff,)	
)	Civil Action No. 2014-RCCV-92
v.)	
)	
HARRY B. JAMES III, individually and)	
in his official capacity)	
as Judge of the Probate Court of Richmond)	
County,)	
Defendant)	

**PLAINTIFFS’ REPLY BRIEF IN SUPPORT OF THEIR MOTION FOR SUMMARY
JUDGMENT**

Defendant briefed his own motion for summary judgment and responded to Plaintiffs’ motion in a single document. Plaintiffs observe, however, that nothing contained in that document directly addresses Plaintiffs’ motion. Instead, it is geared toward advancing Defendant’s own motion.

In particular, Defendant does not dispute any of the facts in Plaintiffs’ statement of material facts. Defendant does not directly dispute any of Plaintiffs’ arguments. Defendant does not contradict Plaintiffs’ assertion that Defendant has abandoned his counterclaims, so Plaintiffs’ motion should be granted as to them.

Furthermore, Defendant does not dispute that Plaintiff is the prevailing party and that Plaintiff is entitled to costs and fees pursuant to O.C.G.A. § 16-11-129(j).

Plaintiffs do not wish to burden the Court with duplicative arguments both in reply to their own motion and in opposition to Defendant’s motion, so Plaintiffs will separately respond

to Defendant's motion. The arguments against Defendant's motion are hereby incorporated as supporting Plaintiffs' reply.

John R. Monroe,
Attorney for Plaintiffs
9640 Coleman Road
Roswell, GA 30075
678-362-7650
State Bar No. 516193

CERTIFICATE OF SERVICE

I certify that on January 8, 2015, I served a copy of the foregoing via U.S. Mail upon:

Robert W. Hunter III
266 Greene Street
Augusta, GA 30901

John R. Monroe