

## WHOLE COURT

NOTICE: Motions for reconsideration must be *physically received* in our clerk's office within ten days of the date of decision to be deemed timely filed.  
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January 2, 2018

### In the Court of Appeals of Georgia

A15A1802. IN RE ESTATE OF JOE LEONARD, JR.

MCFADDEN, Presiding Judge.

In *In re Estate of Leonard*, 336 Ga. App. 768 (783 SE2d 470) (2016), we affirmed the trial court's grant of summary judgment to defendant Whitfield County. In *Croy v. Whitfield County*, 301 Ga. 380 (801 SE2d 892) (2017), as this case was styled in the Supreme Court of Georgia, the Supreme Court reversed our decision and held that Whitfield County was not entitled to summary judgment. Therefore, we vacate our earlier opinion, we adopt in its place the Supreme Court's opinion in *Croy v. Whitfield County*, 301 Ga. 380, and we reverse the judgment below.

*Judgment reversed. Dillard, C. J., Barnes, P. J., Miller, P. J., Ellington, P. J., Andrews and Branch, JJ., concur.*