

**FOURTH DIVISION
ELLINGTON, P. J.,
BRANCH and MERCIER, JJ.**

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.
<http://www.gaappeals.us/rules>

February 22, 2018

In the Court of Appeals of Georgia

A16A1318. SUNTRUST BANK v. LILLISTON et al.

BRANCH, Judge.

In *Suntrust Bank v. Lilliston*, 338 Ga. App. 738 (791 SE2d 614) (2016), this Court affirmed the trial court's ruling that the appellant had waived its right to arbitration in a renewed action by acting inconsistently with that right in the original action. The Supreme Court of Georgia granted certiorari and reversed our decision. See *Suntrust Bank v. Lilliston*, ___ Ga. ___ (Case No. S17G0433, decided Jan. 29, 2018). We therefore vacate our previous opinion, adopt the decision of the Supreme Court as our own, and reverse the judgment below.

Judgment reversed. Ellington, P. J., and Mercier, J., concur.