

# GEORGIA

## MIKE HOSTETTER AND MOLLY McCALL WIN REVERSAL OF A DENIED MOTION TO DISMISS

**Nall & Miller** LLP

**M**ike Hostetter and Molly McCall convinced the Georgia Court of Appeals that the trial court erred by denying their client's motion to dismiss. The case arose from a post-discharge suicide. The plaintiff filed suit against a psychiatric facility but failed to serve it for over three months. Judge Pipkin, writing for a three-judge appellate panel, held that the trial court committed reversible error by failing to dismiss the claims against the facility, since the plaintiff failed to exercise reasonable diligence in serving it and, during that time, the statute of limitations expired.



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