

**FIRST DIVISION
BARNES, P. J.,
MCMILLIAN 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>

March 28, 2017

**NOT TO BE
OFFICIALLY
REPORTED**

In the Court of Appeals of Georgia

A17A0040. BAGWELL v. SOUTHERN NATIONAL ASSETS,
LLC.

MERCIER, Judge.

In this case, the following circumstances exist and are dispositive of the appeal:

- (1) No reversible error of law appears, and an opinion would have no precedential value; and
- (2) The judgment of the court below adequately explains the decision.

The judgment of the court below therefore is affirmed in accordance with Court of Appeals Rule 36.

Judgment affirmed. Barnes, P. J., and McMillian, J., concur.

Court of Appeals of the State of Georgia

ATLANTA, July 10, 2017

The Court of Appeals hereby passes the following order

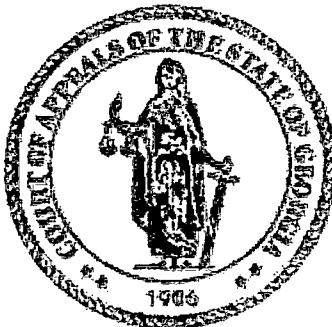
A17A0040. JAMES J. BAGWELL v. SOUTHERN NATIONAL ASSETS, LLC.

Upon consideration of the APPELLANT'S Motion for Reconsideration in the above styled case, it is ordered that the motion is hereby DENIED.

*Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, July 10, 2017.*

*I certify that the above is a true extract from the minutes
of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said court hereto
affixed the day and year last above written.*



Stephen E. Castor, Clerk.

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

SOUTHERN NATIONAL ASSETS,)
LLC)
Petitioner,)
)
IN RE:)
)
THAT PARCEL OF LAND KNOWN) CIVIL ACTION FILE
AS: 315 JUNCTION TRAK, (TAX) NO. 2015CV263358
PARCEL 12-1881-0409-036-8),)
JAMES J. BAGWELL, SPRINGLEAF)
FINANCIAL SERVICES, INC.,)
SUCCESSOR TO AMERICAN)
GENERAL FINANCE, REDSTONE)
TRADING CO., LLC, BANK OF)
AMERICA, N.A., UNITED STATES)
OF AMERICA, GEORGIA)
DEPARTMENT OF REVENUE, CITY)
OF ROSWELL, ROSWELL STATION)
HOMEOWNERS ASSOCIATION,)
INC. AND THEODORE JACKSON IN)
HIS OFFICIAL CAPACITY AS)
SHERIFF OF FULTON COUNTY,)
)
Respondents.)

FINAL ORDER

This matter is before the Court on Southern National Assets, LLC's Motion for Summary Judgment and Motion for Default Judgment. The Court first notes that Consent Orders were previously reached with City of Roswell and Bank of America, N.A. Petitioner and United States of America have stipulated to an agreement between themselves, which is incorporated herein. Therefore, only Petitioner's Motion for Default Judgment as to so Respondents Springfield Financial Services, Inc., successor to American General Finance, Redstone Trading Co., LLC, and Roswell Station

Homeowners Association, Inc., and Motion for Summary Judgment as to James J. Bagwell and Georgia Department of Revenue remain pending before the Court. After considering the Motions, the Court finds that the Motions should be and are hereby GRANTED.

The Court hereby establishes a first priority lien in the amount of \$334,100.00, plus prejudgment interest from July 8, 2015 (the "Lien") in favor of Southern National Assets, LLC and against the property more particularly described as follows (the "Property"):

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 409 OF DISTRICT 1, 2ND SECTION, FULTON COUNTY, GEORGIA BEING LOT 22, BLOCK A, ROSWELL STATION SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 122, PAGE 99, FULTON COUNTY, GEORGIA RECORDS, BEING FURTHER DESCRIBED AS FULTON COUNTY TPID: 12-1881-0409-036-8.

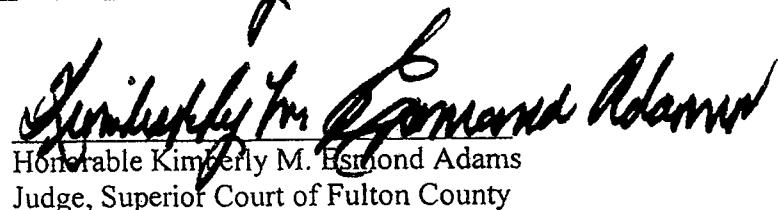
The Court further finds that the Lien must be satisfied prior to any other lien, claim or interest in the Property.

The Court further finds Petitioner is entitled to foreclose on the lien established herein by conducting a public sale of the Property on the Fulton County Courthouse steps during legal hours of sale, after providing notice as set forth below, and auctioning the Property to the highest bidder, with the proceeds of such sale first being applied to the cost and expenses of the sale and this action, then to the payment of the lien established herein with the balance, if any, to be repaid as provided by law. The purchaser at the foreclosure sale shall hold unencumbered fee simple title to the Property.

Prior to conducting the foreclosure sale, Petitioner must cause notice of the sale to be advertised in *The Fulton County Daily Report* once per week for four weeks preceding the foreclosure sale.

The Sheriff is hereby ordered to disburse the excess funds as follows without delay: \$12,083.34 to Petitioner in satisfaction of its 2011, 2012, 2013, and 2014 tax liens; \$36,141.44 to United States of America. The balance of such funds shall be paid to Petitioner, which shall operate to reduce the Lien established herein by the amount received.

SO ORDERED this 26th day of May, 2016.



Honorable Kimberly M. Edmund Adams
Judge, Superior Court of Fulton County



SUPREME COURT OF GEORGIA
Case No. S17C2015

Atlanta, January 16, 2018

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

JAMES J. BAGWELL v. SOUTHERN NATIONAL ASSETS, LLC

The Supreme Court today denied the petition for certiorari in this case. All the Justices concur.

Court of Appeals Case No. A17A0040

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.


Thresa N. Barnes, Clerk



SUPREME COURT OF GEORGIA
Case No. S17C2015

Atlanta, February 19, 2018

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

JAMES J. BAGWELL v. SOUTHERN NATIONAL ASSETS, LLC

Upon consideration of the Motion for Reconsideration filed in this case, it is
ordered that it be hereby denied.

All the Justices concur.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the
minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court
hereto affixed the day and year last above written.

Theresa N. Barnes
, Clerk