



SUPREME COURT OF GEORGIA

Case No. S17D0567

Atlanta, December 13, 2016

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed.

JAMES R. FLESCH v. DEBBIE W. FLESCH

Upon consideration of the application for discretionary appeal filed in the above-styled case, the application is hereby determined to have possible merit and is, therefore, granted pursuant to this Court's Rule 34 (4) regulating applications to appeal in certain divorce and alimony cases.

The Court is particularly concerned with the following issues:

1) Did the trial court err in determining that the Vanguard retirement account was non-marital property? See *Maddox v. Maddox*, 278 Ga. 606, 607 (1) (604 SE2d 784) (2004).

2) Did the trial court err in determining that the house known as 2957 Ashlyn Ridge Court, Unit # 64, Doraville, GA 30340, was subject to equitable division?

3) Did the trial court abuse its discretion in awarding attorney fees under OCGA § 19-6-2? See *Hoard v. Beveridge*, 298 Ga. 728, 731 (2) (783 SE2d 629) (2016).

The appellant's notice of appeal must be filed in the trial court within ten days of the date shown above. Once the record is received from the trial court and docketed in this Court, notices will be mailed to all counsel showing the date of docketing and the case number assigned. The appellant's enumeration of errors and brief will be due in this Court within 20 days of docketing; the appellee's brief will be due within 40 days of docketing, or within 20 days of the filing of appellant's brief, whichever is later. See Rule 12.

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.

Lee C. Fulton , Chief Deputy Clerk