

IN THE SUPERIOR COURT OF TATTNALL COUNTY
STATE OF GEORGIA

Paige D. Mulligan
Paige D. Mulligan, Clerk
Tattnall County, Georgia

THE MAYOR AND COUNCIL)
OF THE CITY OF GLENNVILLE)
)
)
Plaintiffs,)
)
v.)
)
JERRY ALAN KNIGHT AND)
LOUIS P. KNIGHT,)
)
Defendants.)
_____)

CIVIL ACTION
FILE NO.: SUV2025000063

ANSWER OF DEFENDANTS

COME NOW Jerry Alan Knight and Louis P. Knight (“Defendants”) and file this Answer and respectfully show as follows:

FIRST DEFENSE

Plaintiff’s Complaint fails to state a claim upon which relief may be granted.

SECOND DEFENSE

Georgia law prohibits cities from restricting prescribed burns by parties who have obtained permits under O.C.G.A. § 12-6-90(a). See O.C.G.A. §12-6-90(d).

Defendants respond to the individually numbered paragraphs as follows:

1. Defendants admit the allegations contained therein.
2. Defendants admit the allegations contained therein.
3. Defendants admit the allegations contained therein.
4. Defendants admit the allegations contained therein.
5. Defendants admit the allegations contained therein.

6. Defendants deny that Chapter 22 Section 22-32c is valid because it violates O.C.G.A. 12-6-90(d).

7. Defendants admit they burned their land without an air curtain destructor. Defendants deny the remaining allegations contained therein.

8. Defendants admit that they had discussions with Plaintiff but deny that said ordinance is valid.

9. Defendants did advise they planned to continue the burn because it was authorized under Georgia law.

10. Defendants deny the allegations.

11. No response is required.

12. Any allegations or prayers not responded to are denied.

Wherefore, Defendants pray as follows:

- a) That Plaintiff's Petition for a Restraining Order be denied;
- b) That all costs of this action including attorney's fees be cast against Plaintiff;
- c) And for such other and further relief as deemed appropriate.

Respectfully submitted this 9th day of May, 2025.

JOHN HARVEY, PC

/s/ John D. Harvey
Georgia Bar Number 335502
Attorney for Defendants

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CERTIFICATE OF SERVICE

This is to certify that I have on this day served all parties with a copy of the foregoing by
Statutory Electronic Service to:

Hugh J. McCullough
P.O. Box 39
Glennville, Georgia 30427
hugh@hgmlawoffice.com

This 9th day of May, 2025.

JOHN HARVEY, PC

/s/ John D. Harvey
Georgia Bar Number 335502
Attorney for Defendants

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