

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

THOMAS HAYDEN BARNES,)	
)	
Plaintiff,)	
)	
v.)	Civil Action File No.:
)	1:08-CV-0077-CAP
RONALD M. ZACCARI et al,)	
)	
Defendants.)	

NOTICE OF APPEAL

Notice is hereby given that Defendants Ronald M. Zaccari and the Board of Regents of the University System of Georgia appeal to the United States Court of Appeals for the Eleventh Circuit from the Order entered in this action on September 3, 2010. The Order denied qualified immunity to Defendant Ronald M. Zaccari. The Order of the District Court denying qualified immunity to Defendant Zaccari is immediately appealable. See Mitchell v. Forsyth, 472 U.S. 511, 105 S.Ct. 2806, 86 L.Ed.2d 411 (1985). The legal issues involved in the denial of Summary Judgment to the Board of Regents is inextricably intertwined with the denial of qualified immunity to Defendant Zaccari so that the denial of Summary Judgment may be appealed on an interlocutory basis.

Respectfully submitted, this 1st day of October, 2010.

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CERTIFICATE OF SERVICE

This is to certify that I have, this 1st day of October, 2010, served a true and correct copy of the within and foregoing **NOTICE OF APPEAL** upon all parties and/or counsel of record by e-filing the same, which will automatically serve the following parties electronically:

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