

## FROM THE COURTS

# Cue the Music: Decision Offers Guide to Atlanta's Rap Music Scene



JOHN DISNEY

Known as a bow-tied Twitter laureate, Georgia Court of Appeals Chief Judge Stephen Dillard was an unlikely guide to explain who's who in Atlanta's rap music world as he tossed a lawsuit against rapper T.I.

by **Katheryn Tucker**

A bow-tied Twitter laureate who shares messages about Mass, dogs, birthdays, college football and the Oxford comma seems an unlikely guide to explain who's who in Atlanta's rap music world.

But Georgia Court of Appeals Chief Judge Stephen Dillard rose to the occasion with an opinion tossing a lawsuit against a rapper.

Fond of footnotes, Dillard used one to introduce the defendant.

"Clifford Joseph Harris, Jr. — known professionally as 'T.I.' or 'Tip' — is an American rapper and actor, and he has been described as 'one of the artists who popularized the hip hop subgenre trap music, along with Young Jeezy and Gucci Mane,'" Dillard said, citing Wikipedia.org.

"What started off as a jam-packed week of parties, concerts, and watching renowned rappers mixing new music tracks in the waning days of summer abruptly ended with Norris Gresham being dragged down a flight of 30 stairs and viciously pistol whipped in front of a crowd of onlookers," Dillard began.

"Gresham blacked out shortly after the attack began, eventually coming to in a nearby parking lot. He then called the police," Dillard continued. "Gresham suffered significant physical injuries during the attack, and later filed suit against numerous parties."

Most of those parties sued were companies owned by Harris.

Judges Sara Doyle and Amanda Mercier concurred with Dillard in an opinion released March 5. The panel upheld Fulton County Superior Court Judge Craig Schwall in dismissing the case against the Harris companies. A default judgment has been entered against the attacker, who had no assets, according to an attorney for Harris.

Gresham's attorney Ted Lackland of Lackland & Associates in Marietta said Friday, "We are consulting with our cli-

ent to determine whether we will file for certiorari to the Supreme Court."

Harris attorney Albert Chapar Jr. of the Chapar Firm said, "Tip and I were very pleased."

Chapar said Gresham "made many fantastic allegations, including some that Tip actually ordered the assault."

"These may have raised the temperature of the case, but those kinds of allegations proved to be utterly insupportable," Chapar said. "Tip was not present and knew nothing about the assault as it was happening."

Chapar said the case then narrowed to Gresham seeking recovery "primarily on a premises liability theory."

"At first glance, the occurrence of an injury upon the property of another may tempt a party to invoke premises liability law," Chapar said. Schwall "recognized that the facts of this case could not support recovery on a premises liability theory because the injuries as alleged ... were the consequence of a personal dispute" between the victim and the attacker.

"As Chief Judge Dillard nicely explains, when a person is injured by another due to the existence of a personal dispute, that dispute is the cause of the injury," Chapar said. "That the attacker might have chosen real property upon which a studio partially owned by Tip to carry out the attack was a choice by none but the assailant. The injuries were not the responsibility of Tip or any of my other clients."

Ultimately, Dillard concluded the Harris companies couldn't be held liable. But T.I.'s lawyer admitted he found Dillard's opinion gratifying for another reason, too.

"As a lawyer you hope that busy judges can find time to get interested in your cases," Chapar said. "It doesn't always work out that way."

He added, "This one certainly caught his interest."

The case is *Gresham v. Harris*, No. A18A1790.

**Katheryn Hayes Tucker is an Atlanta-based reporter covering legal news for the Daily Report and other ALM publications.**



## CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **Council Zoning Hearing** meeting on **Wednesday, March 27, 2019 beginning at 6:00 PM**, to consider the following non-use variance to the Land Development Code. This meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, Florida, 33166.**

### RESOLUTION No. 19-

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING A NON-USE VARIANCE FROM SECTIONS 53-127 AND 68-824 OF THE LAND DEVELOPMENT CODE, TO PERMIT A LOT WIDTH OF 50 FEET WHERE A MINIMUM LOT WIDTH OF 75 FEET IS REQUIRED FOR A PROPOSED 1-STORY WAREHOUSE BUILDING FOR A PROPERTY LOCATED SOUTH OF NW 55 STREET BETWEEN NW 78 AVENUE AND NW 77 COURT, DORAL, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE**

**HEARING NO.:** 19-01-DOR-12

**APPLICANT:** Manny Mendez

**PROJECT NAME:** Non-Use Variance for Lot Width

**PROJECT OWNER:** M and R Twin Group, Inc.

**LOCATION:** Located South of NW 55 Street between NW 78 Avenue and NW 77 Court

**FOLIO NUMBER:** 35-3022-001-0880

**SIZE OF PROPERTY:** ± .16 Acre (6,988 Sq. Ft.)

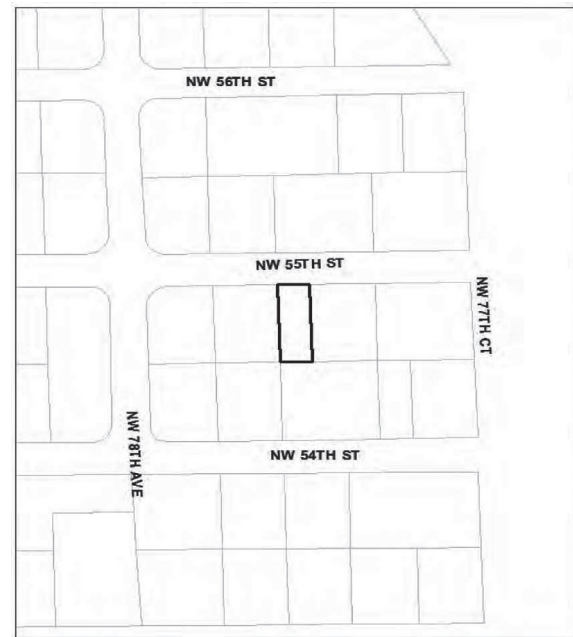
**PRESENT LAND USE:** Industrial

**PRESENT ZONING:** Industrial

**REQUEST:** A request for approval of a non-use variance to permit a lot width of 50 feet, where the permitted minimum lot width of 75 feet is required for a proposed 1-Story Warehouse Building pursuant to Sections 53-127 and 68-824 of the Land Development Code, respectively.

**LEGAL DESCRIPTION:** 22 53 40 .16 AC, AIRPORT GARDENS PB 48-41, W1/2 LOT 76, LOT SIZE 6988 SQ FT, OR 12174-1203 0684 1, F/A/U 30-3022-001-0880

### Location Map



Information relating the subject application is on file and may be examined in the City of Doral, Planning and Zoning Department Located at **8401 NW 53rd Terrace, Doral, FL. 33166**. All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the City Clerk, **8401 NW 53rd Terrace, Doral, FL. 33166**. Maps and other data pertaining to these applications are available for public inspection during normal business hours in City Hall. Any persons wishing to speak at a public hearing should register with the City Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

**NOTE:** If you are not able to communicate, or are not comfortable expressing yourself, in the English language, it is your responsibility to bring with you an English-speaking interpreter when conducting business at the City of Doral during the zoning application process up to, and including, appearance at a hearing. This person may be a friend, relative or someone else. A minor cannot serve as a valid interpreter. The City of Doral DOES NOT provide interpretation services during the zoning application process or during any quasi-judicial proceeding.

**NOTA:** Si usted no está en capacidad de comunicarse, o no se siente cómodo al expresarse en inglés, es de su responsabilidad traer un intérprete del idioma inglés cuando trate asuntos públicos o de negocios con la Ciudad de Doral durante el proceso de solicitudes de zonificación, incluyendo su comparecencia a una audiencia. Esta persona puede ser un amigo, familiar o alguien que le haga la traducción durante su comparecencia a la audiencia. Un menor de edad no puede ser intérprete. La Ciudad de Doral NO suministra servicio de traducción durante ningún procedimiento durante el proceso de solicitudes de zonificación.

Connie Diaz, MMC  
City Clerk  
City of Doral

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