

IN THE SUPERIOR COURT OF BIBB COUNTY, GEORGIA

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2012 DEC 14 PM 3:22

Lindsay D Holliday

Plaintiff

v.

Georgia Department of Transportation (GDOT) Project Engineer, Cinton Ford, PE.; et al.

Defendant(s)

DIANNE BRANNEN, CLERK  
SUPERIOR COURT OF  
BIBB COUNTY GEORGIA

12CV 58472

Civil Action No. \_\_\_\_\_

COMPLAINT FOR INJUNCTION AND TEMPORARY RESTRAINING ORDER

Plaintiff files this Complaint and shows the following:

1.  
Defendants are residents and/or state employees of Georgia and are subject to the jurisdiction of this Court.

2.  
Irreparable and immediate harm will occur if tree cutting proceeds following GDOT letting contracts for a particularly controversial design for a road project (Forest Hill Road - GDOT-projects: STP-3213(1,3)/BRMLB-3213(5), Bibb County. P.I.No. 350520 & 351130/351135)

Plaintiff requests a TRO (Temporary Restraining Order) to remain in effect until a hearing on a further request for a Permanent Injunction can be held. GDOT's plan, if implemented, would result in an Unsafe road (hazard to public safety), negative impact to a U.S. waterway (several perennial streams flow across the FHR right of way. Unrestrained and unfiltered stormwater runoff/oils/silt/etc will negatively impact these streams. Plaintiff can establish, if given an opportunity to do so at a full hearing, an expertly produced alternative plan for this road project and EXPERT opinion of the safety and environmental consequences of GDOT's highly controversial plan. Safety and environmental issues, if proven and existing, would violate state and federal law and best management practices of various governmental agencies. Experts from the Macon-Bibb Tree Commission have produced several years of letters to the roads officials warning of extreme harm to the community if the canopy is unnecessarily decimated as planned by GDOT. Technical articles from the Insurance Institute for Highway Safety, and experts from the AARP will corroborate the road safety issues. GDOT will confirm, if asked, that recent changes to GDOT design policies would favor changing the intersection designs and the pedestrian and biking amenities. Soil and Water Conservation officials share deep concern about the environmental impacts of the design of this project. The methodology used by GDOT to project traffic volumes to justify this particular road design is so arbitrary and capricious that the Macon Telegraph editors labeled the process "the stuff of Harry Houdini" meaning magic, trickery.

3.  
As shown from the facts contained herein, unless defendant is immediately restrained from letting contracts for this road project, plaintiff (and the public) will suffer immediate and irreparable injury, in that the local environment will take generations to reproduce the tree canopy once it is destroyed.

4.  
Attached hereto are (3) letters showing a sampling of numerous efforts the Plaintiff has made to attempt to resolve these issues with the Defendants.

(a) Gerald Ross, GDOT Chief Engineer, emails in 2011

(b) Brigetta Perry, GDOT Attorney, emails in June and July 2012

(c) Clinton Ford, GDOT Project Engineer for Forest Hill Rd Project, emails in December 2012

WHEREFORE, plaintiff prays for the following:

- (a) That the Court issue a temporary restraining order prohibiting GDOT from [letting contracts for this road project] ;
- (b) That the Court set down at the earliest possible time a hearing on an interlocutory injunction in this cause;
- (c) That upon said hearing in this cause that the Court issue an interlocutory injunction prohibiting defendant from [letting contracts for this road project]
- (d) That upon a final hearing in this cause, that said interlocutory injunction be made permanent;
- (e) That this road project be redesigned with the latest safety and environmental features allowed under FHWA guidelines;
- (f) That during the redesign process, which might last a few months according to the EXPERT, the road be re paved ASAP for the safety of the driving public, and left turn lanes added to help alleviate public frustration from unnecessary traffic delays at the intersections of Forest Hill Road with Ridge Avenue and with Wimbish Road.

Lindsay D Holliday, pro se  
3091 Ridge Avenue  
Macon, GA 31204  
478-742-8699

VERIFICATION

Personally appeared before me an officer duly authorized to administer oaths came Lindsay D Holliday who states under oath that he is the plaintiff named in the above and foregoing Complaint and that the facts contained within said complaint are true and correct.

Lindsay D Holliday  
Plaintiff

Sworn to and subscribed before me this 13 day of December, 2012.

Cindi J Patten  
Notary Public



Bibb County Superior Court  
Dianne Brannen Clerk  
P.O. Box 1015  
Macon, GA 31202  
Phone Number: (478)621-6527  
Fax Number: (478)621-5823

Official Receipt: 2012-00019994  
Printed on 12/14/2012 at 03:22:59 PM

LINDSEY HOLLIDAY

Date Recorded: 12/14/2012

Instrument ID	Recorded Time	Amount
	03:22:00 PM	\$258.00

CIVIL CASE WITH SERVICE

Total Due:	\$258.00
Paid By Cash:	\$258.00
Change Tendered:	\$0.00

HAVE A NICE DAY