

IN THE SUPERIOR COURT OF TWIGGS COUNTY

STATE OF GEORGIA

MIDLAND FUNDING, LLC, Assignee  
of HSBC BANK NEVADA, N.A.,

Plaintiff,

vs.

ELLA SHINES,

Defendant.

CIVIL ACTION NO. 2011-V -0424


Twigg County, State of GA  
Clerks Office Superior Court  
Filed in Office of Clerk of Superior Court  
2012 At 8:00 PM October  
Record in Book  
K. Newberry  
Deputy Clerk of Superior Court  
Twigg County, GA

ORDER OF THE COURT REGARDING DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT

The above captioned case is before the court regarding the Motion for Summary Judgment filed by Ella Shines (the "Defendant"). The court heard oral argument on October 10, 2012 at which the Defendant was present and represented by counsel. The Defendant claims that Midland Funding, LLC is not the proper party to bring this action. The only document of indebtedness before the court is a copy of a check. The name on the check is HSBC Bank USA NA. There is no documentation of assignment from HSBC Bank USA NA to Midland Funding LLC. The court cannot infer that a similarity of names constitutes the same company. Therefore, the court finds that Midland Funding, LLC does not have standing to bring this suit, and the Motion for Summary Judgment is granted. There is insufficient information to determine the claim of statute of limitations.

SO ORDERED, this 18<sup>th</sup> day of October, 2012.

Clerk to serve:  
Attorneys of record

  
Jon F. Helton  
Judge, Superior Courts  
Dublin Judicial Circuit