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## For Immediate Release

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## Court Rules - Cobble did not forfeit her office

Stonecrest, GA – This week, DeKalb Superior Court Judge Mark Anthony Scott ruled that Councilwoman Jazzmin Cobble did not forfeit her District 3 council seat when she missed two council meetings last year. The ruling came after 15 Stonecrest citizens filed a quo warranto petition seeking to remove Cobble from the city council due to what they believed was a violation of the city charter.

The court order mentions the city charter as a document that provides for forfeiture of office if a member of the council fails to attend one-third of the regular meetings in a three-month period without being excused by council. However, according to the judge's order, the charter does not explain how to set forth the formula for calculating one-third of the regular meetings, nor does it explain to what a three-month period refers and it fails to provide a procedure for excusal by the council. In the conclusion of the court's ruling, Judge Scott said, "Removing an official elected by voters from office and creating a vacancy is a significant issue that a court should not lightly undertake."

The judge's order also said that the charter's subsection that mentions abandoning the office or ceasing to perform its duties is interpreted to require an absolute relinquishment of the office and that the officer's conduct must indicate that they have completely abandoned the duties of the office. The order further said, "There is no basis to conclude that Cobble's absences were a forfeiture of office, under the charter, that requires her removal from office."

"I am grateful that Judge Scott has affirmatively ruled that I remain a member of the Stonecrest City Council. We have too much ahead of us to be distracted by petty political disputes. It is best for the people of the city that this second attempt to remove me from office through the courts met the same result as the first attempt," Cobble said. "I look forward to continuing to work for the people and call on the individuals who brought this case to reimburse the City for the costs of dealing with this lawsuit and wasting taxpayer funds. Stonecrest's best days are ahead of it and I look forward to continuing to work for the people of my district and our entire city," she added.

In a statement, the plaintiffs in the case expressed their disappointment in the ruling. "The city charter is not something to uphold when it is convenient and something to ignore when it is inconvenient. This action was about the city charter and its obligations. It was never about one individual. We observed what appeared to be a nonchalant attitude by several council people towards the Charter, despite taking an oath to uphold it. While we believed Ms. Cobble erred in not giving council an opportunity to vote on her absences, our focus was on the viability of the charter. Unfortunately, our avenue into protecting the charter involved her removal. We are disappointed the issue of the charter was not resolved and worry how the Charter may be misused and weakened in other ways in the future. It now appears a council

person can miss as many meetings as he or she wants. Our focus moving forward is on improving the city and helping it to grow,” the statement said. The plaintiffs did not address Cobble’s request for reimbursing the city for the case’s legal fees.

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