

**FILED**  
Clerk Superior Ct., Gordon County

**DEC 18 2006**

Brian Brannon  
Clerk

**IN THE SUPERIOR COURT OF  
GORDON COUNTY  
STATE OF GEORGIA**

**STATE OF GEORGIA** : **CRIMINAL ACTION**  
**vs.** : **FILE NO. 04-CR-16471**  
**JERRY WILLIAM JONES,** :  
**Defendant** :

**ORDER ON VARIOUS MOTIONS HEARD  
DECEMBER 11, 2006**

The Court, with State and Defense Counsel and the Defendant being present on

December 11, 2006, and after hearing argument of Counsel as provided by law, enters the following order:

**(1) DEFENDANT'S MOTION #71**

**EXCLUDE GRUESOME AND PREJUDICIAL PHOTOGRAPHS**

The Court has reviewed each photograph presented by the State. After considering arguments by the State and Defendant the Court finds that the following photographs are relevant to the sentencing phase of the trial and are not unduly gruesome or unnecessarily prejudicial: State's Exhibits 1 (69); 2 (966); 3 (970); 4 (973); 6 (986); 7 (1003); 8 (1036); 9 (1039); 10 (1041); 11 (1043); 12 (1069); 13 (1082); 14 (1086); 19 (5693); 20 (5694); 22 (5498); 24 (5516); 25 (5525); 28 (5627); 29 (5641); 31 (5676) and 34 (5433). The Court finds the

following photographs to be either duplicative and/or their prejudicial effect outweighs their relevance, and are therefore inadmissible: State's Exhibits 5 (985); 15 (1079); 16 (1077); 17 (5688); 18 (5692); 21 (5492); 23 (5507); 26 (5533); 27 (5614); 30 (5642); 32 (5422); 33 (5430); 35 (5437) and 36 (5445).

(2) DEFENDANT'S MOTION #76

**PRIOR BAD ACTS OF DEFENDANT**

Defendant's Motion to Bar the Introduction of Prior Convictions of the Defendant is DENIED, subject to the State's compliance with applicable law.

(3) DEFENDANT'S MOTION #84

**INSPECT AND TEST PHYSICAL EVIDENCE**

Defendant withdrew his motion.

(4) DEFENDANT'S MOTION #93

**INDIVIDUAL VOIR DIRE AND SEQUESTRATION OF JURORS DURING VOIR DIRE**

Defendant's Motion for Individual Voir Dire of Jurors Relating to Publicity and Witherspoon Related Questions is GRANTED. Counsel will also be permitted to ask non-repetitive follow-up questions based upon the jurors' responses to the juror questionnaire.

(5) DEFENDANT'S MOTION #115

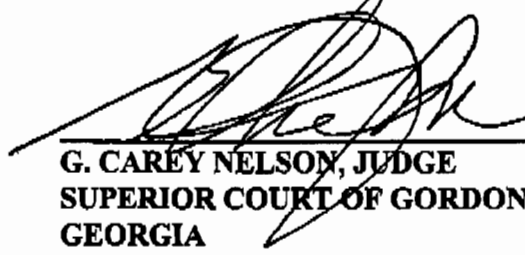
**IN-CAMERA INSPECTION OF STATE'S FILE**

The State having represented to the Court and the Defendant that all possible exculpatory information required to be disclosed has been disclosed and

Defendant's Counsel's agreement to rely on the State's representation,  
Defendant's Motion is moot.

The Court notes that Counsel for the Defendant acknowledges the State  
has voluntarily complied with Defendant's Motions 50, 52, 57, 58 and 85.

SO ORDERED this 15<sup>th</sup> day of December, 2006.



A handwritten signature in black ink, appearing to read 'G. Carey Nelson', is written over a horizontal line. The signature is stylized and cursive.

G. CAREY NELSON, JUDGE  
SUPERIOR COURT OF GORDON COUNTY,  
GEORGIA

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**JERRY WILLIAM JONES,** :  
**Defendant** :

**CERTIFICATE OF SERVICE**

I, Karen Seymour, do hereby certify that I have served the parties in the above matter with the within and foregoing Order by placing copies thereof in properly addressed envelopes with adequate postage thereon, as follows:

John Richard (Jack) Martin  
Martin Brothers, PC  
202 Grant Building  
44 Broad Street, NW  
Atlanta, Georgia 30303-2327

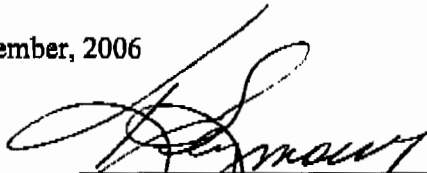
Edward T.M. Garland, Esquire  
Garland, Samuel & Loeb, P.C.  
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225 Peachtree Street  
South Tower, Suite 900  
Atlanta, Georgia 30303

Laura J. Murphree, Esquire  
Prosecuting Attorneys' Council  
104 Marietta Street, Suite 400  
Atlanta, Georgia 30303

This 15<sup>th</sup> day of December, 2006

  
KAREN W. SEYMOUR, SECRETARY FOR  
JUDGE CAREY NELSON