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IN THE SUPERIOR COURT OF WALKER COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,

-VS-

TOMMY RAY-BRENT MARSH,

DEFENDANT.

\*

CASE NOS. 03-CR-20884; 03-CR-20885;  
03-CR-20886; 03-CR-20887 ✓

**FILED IN OFFICE**

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NOV 06 2003

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**STATE'S RESPONSE TO DEFENDANT'S  
'MOTION FOR EXTENSION OF TIME TO FILE  
PRETRIAL MOTIONS'**


Now Comes the State of Georgia, by and through the District Attorney, and responds to said motion as follows:

1.

The defendant has had ample opportunity to review the discovery materials through the corollary civil proceedings in this case. For many months preceding the defendant's indictment, the defendant has had possession of a twelve disc set which contains the vast majority of the State's discovery. The defendant has directly questioned many of the witnesses in depositions in the civil process and has participated in other civil discovery. The discovery process in civil cases is much broader than in criminal cases. The defendant had previously requested the Court to amend his bond conditions many months ago upon a claim that this would permit him to meet with experts. It is presumed the defendant exercised the right to do so.

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This 6<sup>th</sup> day of November, 2003.

  
Herbert E. Franklin  
District Attorney  
State Bar No. 273325

District Attorney's Office  
P.O. Box 1025  
LaFayette, GA 30728  
706-638-2121

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing State's Response to Defendant's Motion for Extension of Time to File Pretrial Motions upon the lead attorney for the Defendant by mailing a true and correct copy of same with sufficient postage thereon to ensure delivery to its destination:

McCracken Poston  
Attorney At Law  
P.O. Box 1130  
Ringgold, GA 30736

A copy of this pleading is being directed to Leanne Dolin, law clerk to the Honorable James G. Bodiford, at Superior Court Building, 30 Waddell Street, Marietta, Georgia 30090-1822.

This 6<sup>th</sup> day of November, 2003.

  
District Attorney  
Lookout Mountain Judicial Circuit

P. O. Box 1025  
LaFayette, GA 30728  
(706) 638-2121