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IN THE SUPERIOR COURT OF WALKER COUNTY

STATE OF GEORGIA

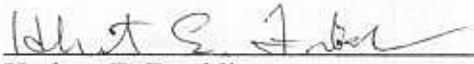
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|-----------------------|------------------------|---|---|
| STATE OF GEORGIA, | FILED IN OFFICE | * | |
| -VS- | NOV 06 2003 | * | CASE NOS. 03-CR-20884; 03-CR-20885; 03-CR-20886; 03-CR-20887 |
| TOMMY RAY-BRENT MARSH | <i>Public</i> Clerk | * | |
| DEFENDANT. | | * | |

**STATE'S RESPONSE TO DEFENDANT'S
"MOTION TO PROTECT THE RIGHT TO HAVE JURORS EXAMINED"**

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

The State opposes this motion. The trial date and place has not yet been determined so a request to have a hearing on the excusal of jurors at this term of court is inappropriate. The State does not object to hearings to determine juror excusals. However, the State would suggest that jurors be required to file a written request to be excused with the clerk of the court and that the parties be given copies of such requests by the clerk in a timely manner. If either party then wishes to contest the requested excusal, that party will notify the trial court and opposing counsel of the necessity for a hearing.

This 6th 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 to Protect the Right to Have the Jurors Examined 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 6th day of November, 2003.


District Attorney
Lookout Mountain Judicial Circuit

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