

IN THE SUPERIOR COURT OF WALKER COUNTY
STATE OF GEORGIA

451

STATE OF GEORGIA,)
)
 vs.)
)
 TOMMY RAY-BRENT MARSH,)
 Defendant)

CASE #

FILED IN OFFICE

03-CR-20884

SEP 23 2003

Alic Marshall
Clerk

SPECIAL DEMURRER

The defendant submits himself to the jurisdiction of this Court and files the following special demurrer to indictment number 03CR20884 "Burial Service Fraud" (Counts 1-122):

1.

All counts fail to adequately charge the defendant with any offense against the laws of the State of Georgia.

2.

All counts allege violation of O.C.G.A. § 10-14-17(b)(1).

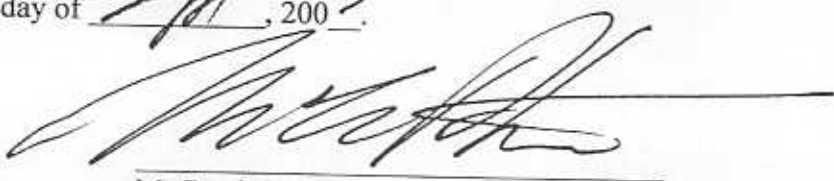
3.

Defendant incorporates by reference and restates all allegations made in Defendant's Motion to Dismiss Indictment.

WHEREFORE, the defendant prays that the Court sustain this special demurrer and dismiss any and all indicted counts of the indictment with prejudice.

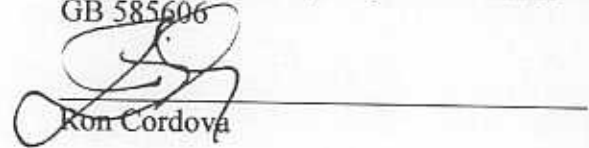
452

Respectfully submitted, this 23 day of Sept, 2003.



McCracken Poston
Attorney for Tommy Ray-Brent Marsh
GB 585606

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Ron Cordova

CERTIFICATE OF SERVICE

Now comes McCracken Poston, counsel for Defendant, and hereby certifies that a true and accurate copy of the foregoing pleading has been served upon the District Attorney (by ~~posting said copy in the U.S. Mail with sufficient postage attached thereto~~) (by hand delivery to the District Attorney or one of his staff).

This 23rd day of Sept., 2003.

