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IN THE SUPERIOR COURT OF WALKER COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,

-VS-

TOMMY RAY-BRENT MARSH,

DEFENDANT.

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

FILED IN OFFICE

**STATE'S RESPONSE TO DEFENDANT'S
"MOTION TO AMEND BOND ORDER"**

FEB 18 2004 *HP*

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

The State has no objection to a temporary modification of the Defendant's bond conditions to permit the Defendant to attend the trial of the civil proceedings to be held in the United States District Court, Northern District of Georgia, Rome Division, *In Re: Tri-State Crematory Litigation*, Case No. MDL-1467, which is scheduled to commence on March 1, 2004. The State will consent to a temporary modification to provide for the Defendant to stay overnight in hotel accommodations with his civil attorneys Stuart James, Frank Jenkins and/or his criminal defense attorney, McCracken Poston. The State would request that any temporary bond modification would cease with the termination of the trial of the federal civil proceedings and the present bond conditions be restored thereafter.

Herbert E. Franklin

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 Amend Bond Order 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 18th day of February, 2004.



District Attorney
Lookout Mountain Judicial Circuit

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