

IN THE SUPERIOR COURT OF  
GORDON COUNTY  
STATE OF GEORGIA

**FILED**  
Clerk Superior Ct., Gordon County  
**SEP 11 2006**  
Brian Brannon  
Clerk

STATE OF GEORGIA : CRIMINAL ACTION  
: :  
VS. : FILE NUMBER 04-CR-16471  
: :  
JERRY WILLIAM JONES, :  
: :  
DEFENDANT :

**ORDER ON VARIOUS REMAINING MOTIONS BY THE DEFENDANT  
NOT OTHERWISE ADDRESSED**

The Court, with prosecution and defense counsel and the defendant being present on August 21, 2006, reviewed the pending motions upon which the Court has not previously ruled and which are not the subject of a separate order, and after allowing counsel for the State and Defendant to respond to said motions, the Court enters the following order:

**(1) DEFENDANT'S MOTION #2**

**CONSTITUTIONAL INCARCERATION OF THE DEFENDANT**

Defendant's Motion for the Constitutional incarceration of the Defendant by the Department of Corrections was withdrawn by counsel.

**(2) DEFENDANT'S MOTION #12**

**GENERAL DEMURRER TO THE INDICTMENT**

Defendant's General Demurrer to the Indictment is withdrawn by the Defendant as moot, since the Defendant has entered his plea of guilty.

## (3) DEFENDANT'S MOTION #13

## SPECIAL DEMURRER TO THE INDICTMENT

Defendant's Special Demurrer to the Indictment is withdrawn by the Defendant as moot, since the Defendant has entered his plea of guilty.

## (4) DEFENDANT'S MOTION #35

## DISCLOSURE OF MITIGATING EVIDENCE

The Court orders the State to produce to the Defendant any mitigating evidence Constitutionally required to be disclosed.

## (5) DEFENDANT'S MOTION #37

## DISCLOSURE OF CONFIDENTIAL INFORMANTS

The State having stated that there are no confidential informants, Defendant's motion is **DENIED** as moot.

## (6) DEFENDANT'S MOTION #39

## VICTIM IMPACT

The Court will issue a separate order on victim impact statements.

## (7) DEFENDANT'S MOTION #42

## DISCLOSURE OF THE USE OF HYPNOSIS

The State having advised that there was no use of hypnosis in this case, Defendant's motion is **DENIED** as moot.

## (8) DEFENDANT'S MOTION #55

## REQUEST FOR STATE TO PRODUCE NEGATIVES

The State advising it has furnished all photographs in its possession to the Defendant, which

the Defendant acknowledges receiving, Defendant's motion is **GRANTED**.

(9) DEFENDANT'S MOTION #71

EXCLUSION OF GRUESOME PHOTOGRAPHS

This motion shall be heard on December 11, 2006.

(10) DEFENDANT'S MOTION #72

EXTEND TIME FOR CLOSING ARGUMENTS

Defendant has withdrawn this motion.

(11) DEFENDANT'S MOTION #76

PRIOR BAD ACTS

This motion shall be heard on December 11, 2006.

(12) DEFENDANT'S MOTION #78

RESTRICT USE OF THE WORD "MURDER"

Defendant has withdrawn this motion.

(13) DEFENDANT'S MOTIONS #79 AND #80

CHANGE OF VENUE

Defendant has withdrawn his motions for change of venue at this time; however, the Defendant may subsequently file a new motion for change of venue if he deems the same appropriate, and the Court will entertain said motion at the appropriate time.

(14) DEFENDANT'S MOTIONS #86 AND #121

MOTION TO SUPPRESS EVIDENCE

Defendant has withdrawn his motion to suppress as to the Defendant's vehicle and personal items at the hospital. Defendant's motion to suppress pertaining to the Defendant's residence was

heard on August 21, 2006, and will be addressed in a separate order.

(15) DEFENDANT'S MOTION #87

OUT OF COURT IDENTIFICATION

Defendant has withdrawn this motion.

(16) DEFENDANT'S MOTIONS #89 AND #137

MOTION TO SUPPRESS DEFENDANT'S STATEMENT

These motions were heard on August 21, 2006, and these motions will be addressed in a separate order.

(17) DEFENDANT'S MOTION #93

INDIVIDUAL VOIR DIRE

This motion will be heard on December 11, 2006.

(18) DEFENDANT'S MOTION #96

JUROR QUESTIONNAIRE

This motion will be heard on October 27, 2006.

(19) DEFENDANT'S MOTION #101

PEREMPTORY STRIKES

This motion will be heard December 11, 2006.

(20) DEFENDANT'S MOTION #107

JUROR NOTES

Defendant's motion to make juror notes part of the record is **DENIED**.

(21) DEFENDANT'S MOTION #138

EXCLUDE DEFENDANT'S MEDICAL INFORMATION

Defendant has withdrawn this motion.

(22) DEFENDANT'S MOTION #139

CALLER ID EVIDENCE

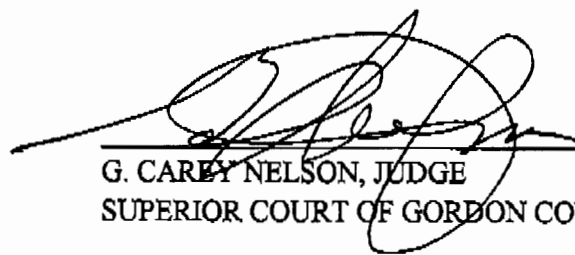
Defendant has withdrawn this motion.

(23) DEFENDANT'S MOTION #143

MOTION TO BAR DEATH PENALTY

Defendant's motion to bar death penalty was argued August 21, 2006, and will be addressed in a separate order of the Court.

SO ORDERED this 8<sup>th</sup> day of September, 2006 .

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