

**IN THE SUPERIOR COURT FOR THE  
COUNTY OF GORDON  
STATE OF GEORGIA**

**FILED**  
Clerk Superior Ct., Gordon County  
**SEP 26 2006**  
Brian Brannor  
Clerk

<b>STATE OF GEORGIA,</b>	)	<b>CASE NO. 16471</b>
	)	
	)	<b>CHARGES: MURDER (4 CTS);</b>
<b>VS.</b>	)	<b>FELONY MURDER; KIDNAPPING</b>
	)	<b>(3 CTS); FALSE IMPRISONMENT;</b>
	)	<b>BURGLARY; THEFT BY TAKING;</b>
	)	<b>CONCEALING DEATH OF ANOTHER;</b>
<b>JERRY WILLIAM JONES,</b>	)	<b>F/A VIOLATIONS, ET AL.</b>
<b>DEFENDANT</b>	)	

**STATE'S FIRST AMENDMENT TO  
NOTICE OF INTENT TO SEEK DEATH PENALTY**

NOW COMES, the State of Georgia, by and through the Office of the District Attorney of the Cherokee Judicial Circuit, in accordance with applicable Statutes, rules and procedure, and files this its First Amendment to Notice of Intent to Seek Death Penalty in the above-entitled cases and seeks same based upon the following additional reasons:

1.

The State of Georgia hereby amends the hereinbefore referenced pleadings filed on January 24, 2005 by adding a completely new Part thereto and more particularly states as follows:

**PART THREE**

**NON-STATUTORY AGGRAVATING CIRCUMSTANCES**

It is the intent of the State of Georgia to introduce in addition to evidence of the Statutory Aggravating Circumstances set out in the initial pleadings referenced above during the sentencing

phase of the trial of the above-named defendant evidence of the following non-statutory aggravating circumstances:

- A. On or around June 7, 1993 the above named defendant and being represented by counsel entered a guilty plea and was sentenced in Case No. 93-CR-00838-4 of Clayton Superior Court to charge of Theft by Receiving Stolen Property and Theft by Shoplifting for which he received a sentence totaling Five (5) years to serve in custody;
- B. On or around August 15, 2001 the above named defendant and being represented by counsel entered a guilty plea and was sentenced in Case No. 14312 of Gordon Superior Court to Possession Firearm by Convicted Felon for which he received a split sentence totaling Five (5) years with Six (6) months to serve in custody and the balance on probation;
- C. On or around October 17, 2003 the above named defendant and being represented by counsel entered a guilty plea and was sentenced in Case No. 03-CR-22916 of Floyd Superior Court to charges of Obstruction of Officer and Driving with Suspended License for which he received a sentence totaling Four (4) years and Twelve (12) months with all to be served on probation;
- D. On or around June 29, 1990 the above named defendant and being represented by counsel entered a guilty plea and was sentenced in Case No. 90-CR-18179-4 of Clayton Superior Court to the charge of Theft by Taking (Motor Vehicle) for which he received a sentence totaling Three (3) years all to be served in custody;

- E. On or around June 7, 1993 the above named defendant and being represented by counsel entered a guilty plea and was sentenced in Case No. 92-CR-01005-4 of Clayton Superior Court to the charge of Theft by Taking Motor Vehicle for which he received a sentence totaling Five (5) years in custody, and
- F. On or around December 30, 1992, the above-named defendant who being represented by counsel entered a guilty plea and was sentence in Case No. Z-50016 of Fulton Superior Court to the charge of Theft by Receiving Stolen Property for which he received a sentence of two (2) years incarcerated.

2.

A true and correct copy of the above and foregoing cases including indictment/accusation and sentence are attached hereto in seriatim and labeled with the Exhibit number corresponding to said subparagraphs letter which each by reference is specifically incorporated herein.

Respectfully submitted,  
This 21<sup>st</sup> day of September, 2006.

OFFICE OF DISTRICT ATTORNEY  
CHEROKEE JUDICIAL CIRCUIT

BY: 

T. JOSEPH CAMPBELL  
DISTRICT ATTORNEY  
STATE BAR NO. 106950

GORDON COUNTY DIVISION  
P.O. BOX 1478  
CALHOUN, GA 30703-1478  
(706) 629-5651

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<b>DEFENDANT</b>	)	

**CERTIFICATE OF SERVICE**

This is to certify that I have served a copy of the above and foregoing State's First Amendment to Notice of Intent to Seek Death Penalty upon:

E. Michelle Drake  
Joseph Romond  
Georgia Capital Defender's Office  
225 Peachtree Street, NE  
Suite 900, South Tower  
Atlanta, GA 30303-1727

John R. Martin  
Martin Brothers, PC  
202 Grant Building  
44 Broad Street, N.W.  
Atlanta, GA 30303-2327

[ x ] depositing said copy in the United States Mail in a properly addressed envelope with adequate posted thereon, addresses as set out above.

This 26<sup>th</sup> day of September, 2006.

**OFFICE OF DISTRICT ATTORNEY  
CHEROKEE JUDICIAL CIRCUIT**

BY:

  
**T. JOSEPH CAMPBELL  
DISTRICT ATTORNEY**

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