

IN THE SUPERIOR COURT OF GORDON COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,)
)
 v.)
)
 JERRY WILLIAM JONES,)
)
 Defendant.)

CASE NO. 16471

FILED
Clerk Superior Ct., Gordon County

OCT 20 2006

ORDER DENYING DEFENDANT'S MOTION TO WAIVE PRESENCE AT THE
COURT HEARINGS SCHEDULED FOR OCTOBER 27, 2006

After reviewing the Defendant's Motion to Allow Mr. Jones to Waive his Presence at the Court Hearings Scheduled for October 27, 2006 and the accompanying case law, filed October 16, 2006, it is hereby ordered that the Defendant's motion is DENIED. The Defendant's presence in court is required on October 27, 2006. The Court relies on Georgia's Unified Appeal Rules in reaching its decision. According to the Unified Appeal Rules, "the defendant shall be present during all proceedings in the Superior Court." GA R UNIF A Rules, Note. [Emphasis added.] More specifically, Unified Appeal Rule II (D) requires that "the defendant shall be present, accompanied by defense counsel," when the Court conducts a motion hearing. Further, "the Court shall give the defendant an opportunity to state any objections to defense counsel or to the manner in which defense counsel have conducted or are conducting the defense." GA R UNIF A Rule II(D)(4). The purpose behind the aforementioned rules is to "minimize the occurrence of error." GA R UNIF A Rule I(A)(2).

It is so ordered this 19th day of October, 2006.



Judge G. Carey Nelson
 Gordon County Superior Court
 Cherokee Judicial Circuit