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IN THE SUPERIOR COURT OF WALKER COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)	
)	
vs.)	CASE #'s
)	03-CR-20884; 03-CR-00885;
TOMMY RAY-BRENT MARSH,)	03-CR-20886; & 03-CR-20887
Defendant)	

MOTION IN LIMINE TO EXCLUDE
PREJUDICIAL PHOTOGRAPHS AND EVIDENCE

COMES NOW the Defendant, through counsel, and moves the Court for an Order excluding from evidence various photographs presently in the possession of the State. As grounds therefor, he shows the following:

1.

Counsel is aware that there are a number of photographs, videotapes and other visual media with the subject matter being over three hundred dead bodies allegedly discovered at the Tri-State Crematory in the Noble community.

2.

There are likely thousands of photographs. Many of the photographs will be duplicitous in nature. Some of the photographs are inflammatory and irrelevant to the issues in this case.

3.

Defendant requests that these photographs be displayed to the Court prior to trial, outside the presence of the jury. He further requests that the Court review the same, entertain argument of counsel and exclude those photographs which are irrelevant, prejudicial and inflammatory.

4.

Defendant reserves the right to supplement this motion if he becomes aware of any additional photographs or other visual media which are of an irrelevant, prejudicial or inflammatory

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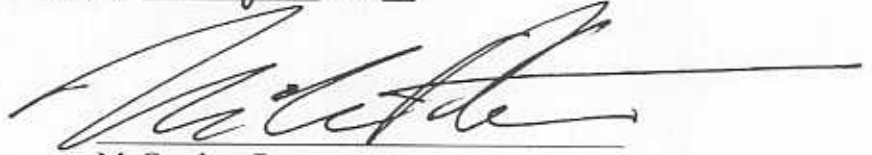
SEP 23 2003

Lisa M. Adams
Clerk

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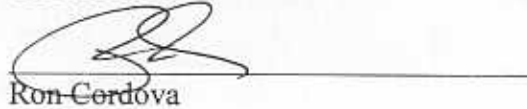
nature.

Respectfully submitted, this 23rd 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 23 day of Sept, 2003.



McCracken Poston