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IN THE SUPERIOR COURT OF WALKER COUNTY **FILED IN OFFICE**
STATE OF GEORGIA

SEP 23 2003

STATE OF GEORGIA,)
)
vs.)
)
TOMMY RAY-BRENT MARSH,)
Defendant)

CASE #'s *See madam*
03-CR-20884; 03-CR-00885; *Clark*
03-CR-20886; & 03-CR-20887

MOTION RESERVING THE RIGHT TO FILE ADDITIONAL MOTIONS;

COMES NOW the Defendant Tommy Ray-Brent Marsh, and hereby files the above-styled motions, requesting an order of this Court, reserving Defendant's right to file such additional motions as the future progression of this case may merit, and in support of same shows as follows:

1.

Discovery in this case is voluminous, and counsel for Defendant has been notified that the District Attorney will seek to avoid his responsibility to serve state discovery upon the Defendant by taking the position that state discovery will be made "available" to counsel for the Defendant.

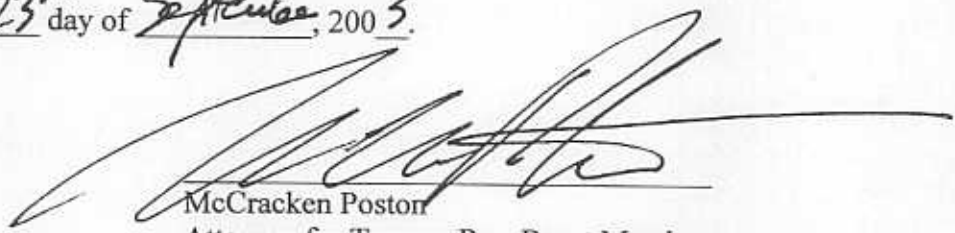
2.

The inordinate complexity of the anticipated discovery, to wit: intricate scientific reports relating to each of hundreds of allegedly identified human remains, and other vast areas of discovery, compels a continuing analysis of materials released to the defense during the course of discovery. Information gleaned during this process will most certainly lead to the necessity of additional substantive motions.

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WHEREFORE, DEFENDANT PRAYS that this Court for an Order allowing Defendant to file additional motions, in a timely fashion, as the progression of discovery and of the case may merit.

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



McCracken Poston
Attorney for Tommy Ray-Brent Marsh
GB 585606

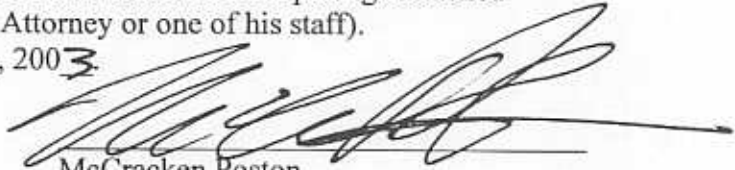
P. O. Box 1130
Ringgold, Georgia 30736
(706) 965-8300


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