

IN THE SUPERIOR COURT OF WALKER COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,	*	
	*	CRIMINAL ACTION FILE
v.	*	NO.s: 03-CR-20884; 03-CR-20885;
	*	03-CR-20886; & 03-CR-20887
TOMMY RAY BRENT MARSH,	*	
	*	
Defendant.	*	

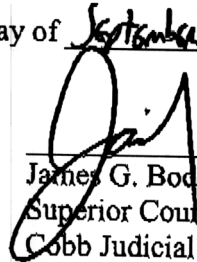
ORDER

On August 11, 2004, Defendant filed a MOTION TO DISQUALIFY DISTRICT ATTORNEY "BUZZ" FRANKLIN AND THE DISTRICT ATTORNEY'S OFFICE OF THE LOOKOUT MOUNTAIN CIRCUIT FROM FURTHER PARTICIPATION IN THE PROSECUTION AND MOTION TO SET ASIDE AND DISMISS ALL INDICTMENTS. The State filed its response on August 19, 2004. On the same day, the Court heard oral argument from both the Defense and the State regarding said motion. At the conclusion of said hearing, the Court announced that a decision and order on said motion would be issued by 12:00 p.m. on Thursday, September 2, 2004.

On Tuesday, August 31, 2004, the Court held an in chambers telephone conference with Mr. Poston and Mr. Franklin. During said conference, it was requested that the Court reserve ruling on said motion. Based on the express agreement of the State and the Defense, the Court RESERVES ruling on Defendant's MOTION TO DISQUALIFY DISTRICT ATTORNEY "BUZZ" FRANKLIN AND THE DISTRICT ATTORNEY'S OFFICE OF THE LOOKOUT MOUNTAIN CIRCUIT FROM FURTHER

PARTICIPATION IN THE PROSECUTION AND MOTION TO SET ASIDE AND
DISMISS ALL INDICTMENTS.

SO ORDERED this 2nd day of September 2004.



James G. Bodiford
Superior Court Judge
Cobb Judicial Circuit
Sitting by Special Appointment in
Walker County Superior Court