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IN THE SUPERIOR COURT OF WALKER COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,

*

-VS-

*

CASE NOS. 03-CR-20884; 03-CR-20885;
03-CR-20886; 03-CR-20887

TOMMY RAY-BRENT MARSH,

*

FILED IN OFFICE

DEFENDANT.

*

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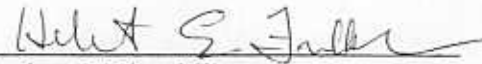
**STATE'S RESPONSE TO DEFENDANT'S
"MOTION FOR INDIVIDUAL SEQUESTERED
VOIR DIRE, AND SEQUESTRATION OF
JURORS DURING VOIR DIRE AND THROUGHOUT THE TRIAL"**

*Assoc. Magistrate
Clerk*

Now Comes the State of Georgia, by and through the District Attorney, and responds to said motion as follows:

The State urges the procedure generally followed in this Circuit whereby the attorneys conduct a collective voir dire of the panel as a whole followed by individual questions directed to those jurors as may be necessitated by the answers to the general questions. Any juror's potential response that would merit sequestration from the other jurors should be handled in a private bench conference with that juror. The procedure urged by the Defendant is time consuming and inefficient and does not provide any additional safeguards.

This 6th day of November, 2003


Herbert E. Franklin
District Attorney
State Bar No. 273325

District Attorney's Office
P.O. Box 1025
LaFayette, GA 30728
706-638-2121

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing State's Response to Defendant's Motion for Individual Sequestered Voir Dire, and Sequestration of Jurors During Voir Dire and Throughout the Trial upon the lead attorney for the Defendant by mailing a true and correct copy of same with sufficient postage thereon to ensure delivery to its destination:

McCracken Poston
Attorney At Law
P.O. Box 1130
Ringgold, GA 30736

A copy of this pleading is being directed to Leanne Dolin, law clerk to the Honorable James G. Bodiford, at Superior Court Building, 30 Waddell Street, Marietta, Georgia 30090-1822.

This 6th day of November, 2003.

Walter S. Johnson
District Attorney
Lookout Mountain Judicial Circuit

P. O. Box 1025
LaFayette, GA 30728
(706) 638-2121