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IN THE SUPERIOR COURT OF WALKER COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,

*

-VS-

*

CASE NO. 03-CR-20884

FILED IN OFFICE

TOMMY RAY-BRENT MARSH,

*

NOV 06 2003

DEFENDANT.

*

Sue Madam
Clerk

STATE'S RESPONSE TO DEFENDANT'S
'SPECIAL DEMURRER'

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

The indictment sufficiently alleges a violation of O.C.G.A. § 16-8-2. The State incorporates its response to the Defendant's Motion to Dismiss Indictment.

This 6th day of November, 2003.

Herbert E. Franklin
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 Special Demurrer 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.

Idell S. Fabel
District Attorney
Lookout Mountain Judicial Circuit

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LaFayette, GA 30728
(706) 638-2121