

Randall M Adams
CLERK SUPERIOR COURT

**.IN THE SUPERIOR COURT OF GLYNN COUNTY
STATE OF GEORGIA**

THE STATE OF GEORGIA	*	CRIMINAL ACTION
V.	*	# CR2000433
TRAVIS MCMICHAEL,	*	
GREG MCMICHAEL, and	*	
WILLIAM BRYAN	*	

**4.6 – FIRST AMENDED NOTICE OF STATE’S INTENT TO INTRODUCE
EVIDENCE OF OTHER ACTS
PURSUANT TO O.C.G.A. §§ 24-4-404(b) & 24-4-403**

Comes now the State of Georgia, by and through the undersigned pursuant to O.C.G.A. §§ 24-4-404(b) and 24-4-403, and Uniform Superior Court Rules 31.1 and 31.3 and hereby notifies the above-named Defendants of the State's intention to introduce “intrinsic evidence” and other crimes, wrongs, or acts evidence at the trial of the above-styled case. The State further requests a hearing on this matter.

A copy of this notice has been served upon Defendant's Counsel of Record at least ten (10) days prior to trial. Copies of supporting evidence and/or police reports are being furnished as part of reciprocal discovery and a copy of such notice will be filed with and submitted to the Court. Moreover, this remains an active and ongoing investigation and the State expects to supplement this notice as more evidence of other intrinsic evidence, bad acts, and racial animus becomes evident.

- 1) The admission of the below other acts evidence is “intrinsic evidence.” It is therefore not subject to the limitations of Rule 404 (b).
- 2) However, the admission of this other crimes, wrongs, or acts evidence is also submitted for the purpose of showing proof of motive and/or lack of motive, intent, to explain conduct, and/or absence of mistake, accident, justification, good character or racial goodwill.

DEFENDANT TRAVIS MCMICHAEL

Transaction 1: Racial highway video Facebook post Date: 8-22-2019 Venue: Glynn	Transaction 2: Racial Johnny Rebel Facebook post Date: 6-15-2019 Venue: Glynn
Transaction 3: Racial text message Date: 3-16-2019 Venue: Glynn	

DEFENDANT GREG MCMICHAEL

Transaction 1: Identity Dixie Facebook Post Date: 4-17-19 Venue: Glynn	Transaction 2: Racial Johnny Rebel Facebook post Date: 8-10-2019 Venue: Glynn
Transaction 3: POST suspensions Date: See POST records Venue: Glynn	

DEFENDANT WILLIAM BRYAN

Transactions: Racial Messages extracted from cell phone, tendered as State's Exhibit 7 at Defendant's bond hearing	
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WHEREFORE, the State requests leave of this Court to present evidence of said additional transactions in the trial of the above-styled case and requests a hearing on this matter before the trial of said case or at such time as this Court deems appropriate.

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served opposing counsel with a true and correct copy of the above Notice via the Odyssey E-File System to:

Mr. Robert G. Rubin
Mr. Jason B Sheffield
2786 North Decatur Road
Suite 245
Decatur, GA 3003

Mrs. Laura Hogue
Mr. Frank Hogue
341 Third Street
P.O. Box 1795
Macon, GA 31202

Kevin Gough
501 Gloucester Street
Suite 121
P.O. Box 898
Brunswick, GA 31521

This 2nd day of October 2020.

/s/ Jesse Evans

JESSE D. EVANS
Deputy Chief Assistant District Attorney
Cobb Judicial Circuit
State Bar # 252342

/s/ Linda Dunikoski

LINDA DUNIKOSKI
Senior Assistant District Attorney
Cobb Judicial Circuit
State Bar # 233887