

Russell M. Adams
CLERK SUPERIOR COURT

IN THE SUPERIOR COURT OF GLYNN COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

*

V.

*

Indictment:

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CR 2000433

*

GREG MCMICHAEL

*

TRAVIS MCMICHAEL

*

WILLIAM R. BRYAN

*

4.50 STATE'S SUPPLEMENTAL DEMAND FOR DISCOVERY AND
WITNESS LIST; REQUEST FOR A SCHEDULING ORDER

The defendants were indicted in this case on June 24, 2020. The State filed its initial discovery, and discovery demands, on July 29, 2020. The State has recently supplemented its discovery with #11 on June 17, 2021, #12 on June 23, 2021, and #13 on June 28, 2021. These last two satisfied the Defendant's 2.4 Amendment to Motion 2.2 to Include Exhibits (Brady) subparts d, e and f. The State has complied with providing the defense with discovery and its witness list (last updated on April 27, 2021). The State, however, based on prior experience, knows that there may be some additional discovery or witnesses added, as the time for trial nears.

This Court entered a Pretrial Scheduling Order on July 17, 2020 requiring the defendants to provide reciprocal discovery to the State by August 28, 2020. The defendants motioned to amend the scheduling order on August 24, 2020, and this Court entered its Second Amended Scheduling Order on August 28, 2020 and its Third Amended Scheduling Order on November 23, 2020.

The defendants, Travis McMichael and Greg McMichael, served the State with reciprocal discovery on October 30, 2020. However, the discovery did not contain a witness list per O.C.G.A. § 17-16-8. The only sort of witness list that the

State has received was a .png image on May 7, 2021, of a list of folders and witness names for the May 12 – 13, 2021 hearing.

Regarding William Bryan, the State has not received any discovery, nor a witness list (except one from July 16, 2020 for Mr. Bryan’s bond hearing that only contained the names of individuals).

The State understands that O.C.G.A. § 17-16-8 says that the defendant’s reciprocal discovery must be served “no later than five days prior to trial.” However, this Court’s August 28, 2020 scheduling order required the defendant’s reciprocal discovery to be filed no later than October 30, 2020.

Therefore, the State Motions for this Court for a scheduling order (despite the current violation of the August 28, 2020 scheduling order) requiring the defendants to comply with O.C.G.A. § 17-16-8 and provide the State with their witness list, if any, no later than July 21, 2021, and that their witness list include “the names, current locations, dates of birth, and telephone numbers” of their witnesses, so that the State may contact the witnesses, interview them and investigate any issue that may arise.

The State motions for this with the understanding that there will always be a few last minute witnesses added to the list, and last minute discovery will be served. But in an effort to avoid requesting a continuance upon being served with the names of ten or more unknown people, per defendant, the week of October 11, 2021, or having to ask that the defense witnesses be excluded from testifying, we seek this scheduling order.

This the 30th day of June, 2021.

/S/ Linda J. Dunikoski

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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served opposing counsel with a true and correct copy of the 4.50 STATE'S SUPPLEMENTAL DEMAND FOR DISCOVERY AND WITNESS LIST; REQUEST FOR A SCHEDULING ORDER via the Odyssey E-File System to:

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This the 30th day of June, 2021.

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