

Russell M. Adams
CLERK SUPERIOR COURT

IN THE SUPERIOR COURT OF GLYNN COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

*

V.

*

Indictment:

*

CR 2000433

*

GREG MCMICHAEL

*

TRAVIS MCMICHAEL

*

WILLIAM R. BRYAN

*

4.67 STATE'S MOTION IN LIMINE TO EXCLUDE ARGUMENT AND
TESTIMONY ABOUT ANY PROTESTS, DEMONSTRATIONS OR THREATS
MADE TO ANYONE IN THE AFTERMATH OF THIS HOMICIDE

COMES NOW, the State of Georgia, by and through the undersigned District Attorney Pro Tempore, and files this motion in limine to prohibit the Defense from arguing, or eliciting testimony, about what took place in Satilla Shores, Brunswick or Glynn County in the aftermath of this homicide.

(1)

According to Nelly Miles of the GBI, on April 29th, 2020, the Glynn County Police Department (GCPD) requested that the GBI investigate allegations of threats against the Glynn County Police Department and individuals involved in the active investigation into the homicide of Ahmaud Arbery.

Greg McMichael took it upon himself, after having been given advice by District Attorney Jackie Johnson, to contact local attorney Alan Tucker. Greg McMichael then contacted co-defendant William Bryan, obtained Bryan's cellphone with the video of the homicide, had personnel at Alan Tucker's office download the video, and they then provided the video to a local radio personality at WGIG, who released it for the world to see on May 5, 2020. This was the same day that District

Attorney Tom Durden of the Atlantic Judicial Circuit requested the GBI to formally investigate this homicide. Due to the actions of Greg McMichael, in facilitating the release of evidence from this case to the public, peaceful protests and demonstrations took place in Brunswick and Glynn County.

(2)

Any threats or criticisms made by anonymous third parties to or about anyone involved in this homicide case, including the defendants, is not relevant to the issues to be decided by the jury.

The peaceful protests and demonstrations that took place in Brunswick and Glynn County have nothing to do with the facts necessary to assist the jury in reaching their verdict. Such testimony about the aftermath of the investigation, does not make any fact to be determined more or less probable than it would be without the evidence. Rule 401. The danger of unfair prejudice to the State is great and such evidence may confuse the issues and mislead the jury. Rule 403.

(3)

Given that the above information has been made public knowledge and is available via several news outlets and websites, the State anticipates that inquiry into the level of knowledge or awareness of the above facts, by prospective jurors, during jury selection, would be appropriate.

(4)

The State requests that this motion in limine, to prohibit the Defense from arguing, or eliciting testimony, about threats to any party and what took place in Satilla Shores, Brunswick or Glynn County in the aftermath of this homicide, be granted.

Respectfully requested, this the 19th day of July, 2021.

/S/ Linda J. Dunikoski

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/S/ Larissa Ollivierre

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/S/ Paul Camarillo

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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 4.67 STATE’S MOTION IN LIMINE TO EXCLUDE ARGUMENT AND TESTIMONY ABOUT ANY PROTESTS, DEMONSTRATIONS OR THREATS MADE TO ANYONE IN THE AFTERMATH OF THIS HOMICIDE via the Odyssey E-File System to:

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This the 19th day of July, 2021.

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