

*Russell M. Adams*  
CLERK SUPERIOR COURT

IN THE SUPERIOR COURT OF GLYNN COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, )  
)  
)  
v. ) Criminal Action No. 20-CR-00433  
)  
WILLIAM RODERICK BRYAN, )  
Defendant. )

**AMENDED MOTION TO BAR INDIVIDUALS AND GROUPS ATTEMPTING TO  
INFLUENCE POTENTIAL JURORS FROM BUILDING AND SURROUNDING  
GROUNDS OF THE GLYNN COUNTY COURTHOUSE**

Comes now Defendant William Roderick “Roddie” Bryan, by and through undersigned counsel, pursuant to the Fifth and Fourteenth Amendments to the United States Constitution, Article I, Section I, Paragraphs I of the Constitution of the State of Georgia; and this Court's inherent powers, and other applicable law, and hereby amends the previously filed motion by adding the following paragraphs thereto:

12. The Transformative Justice Coalition conducted a Town Hall Meeting on Monday, October 18, 2021, following jury selection during which the lines of questioning of potential was dissected. Speakers questioned whether inquiries about social justice and the Black Lives Matter movement were appropriate – suggesting that jurors simply should have been asked if they could be fair and impartial. Arbery family attorney Ben Crump spoke at this event. He stated that a guilty verdict in this case will show America how “far we have come in the last ten years.”

Exhibit 8.

13. As troubling as TJC’s actions have been, to fully understand how insidious their conduct has been – with their banner displayed yet again yesterday outside the courthouse, their words and deeds must be viewed in the larger context because they have acted in concert with other key players in this case.

14. As previously referenced in the Fourth Particularized Brady Motion, on May 6, 2020, on Facebook, Arbery family attorney Lee Merritt posted that they wanted to get “the right prosecutors involved” in this case. Five days later, on May 11, 2020, Lee Merritt posts on Twitter: “Another huge WIN for #Justice for Ahmaud! At the family’s demand –a special prosecutor [Joyette Holmes] will replace Tom Durden.”

15. On April 20, 2021, literally as the jury deliberates in the George Floyd case, our President Joseph R. Biden, told reporters that he was “praying for the right verdict.” USA Today Fact Checkers, as documented in the article submitted as Exhibit 11, say this is not jury tampering under Minnesota law, with which I would agree given that the jury was sequestered. The larger point, however, is that this has like “Justice for Maud” has become a catch phrase or watchwords for the conviction of Roddie Bryan.

16. On October 18, 2021, Wanda Cooper-Jones refers again to getting the “right jury” in an interview discussed in the Coastal Courier. Exhibit 7. In another statement published on the Black Entertainment News website, Exhibit 13, Wanda Cooper-Jones states: “I have my concerns being that the jurors will be picked from this community . . . **I’m hopeful that we will get the right people in the right place to make the right decision.**”

17. On October 20, 2021, Marcus Arbery tells CNN: “I am just praying to God that we get ‘the right jury.’” Exhibit 6.

18. On October 18, 2021, Lee Merritt gives an interview to the Grio White House Correspondent April Ryan, in which he discusses the jury selection process in this case in depth. He explains that knowledge of the case alone is not enough to disqualify. He states that the question is whether they can set aside what they know. He then states: “**We don’t say often enough ‘you know what - I can set that aside.’**” In doing so, he expressly encourages potential

black jurors to say that they can do that. He adds: “We often believe by virtue of our skin color alone that we have a dog in that fight.” Exhibits 5, 8, 12.

19. In a separate interview given contemporaneously to Tiffany Fox of MSNBC, posted to Instagram by Mr. Merritt, discussed jury selection in even greater detail. Merritt appended the interview to his Twitter page, with this comment attorney Lee Merritt says: “Register to Vote. Show up for jury duty. **Remember this phrase: “I can be fair.”** In the interview, these disparate concepts are brought together for us: Tiffany Cross says Governor Brian Kemp is an “expert” on voter suppression. She expresses concern about voter registration – the primary source of juror rolls -- and apathy and “all white juries in our future if voting rights are not affected. She asks if an all white jury is possible. Mr. Merritt says “unfortunately this is possible.” Lee Merritt falsely states that your honor granted “well over a dozen strikes per defendant” with which to strike jurors from a panel of 64.<sup>1</sup> He repeats the phrase: We often believe by virtue of our skin color alone that we have a dog in the fight.” This exchange very cleverly ties voting rights and voter suppression to THIS case, stoking fears in the black community of an all white jury.

20. In short, Lee Merritt, Ben Crump, the Arbery family, with the help of TJC and the mainstream media, have put on a clinic as to how to influence a juror, and a jury, without penalty, sanction or prosecution – with not so much as a rebuke by this court. TJC and Mr. Merritt may not be a member of the Georgia Bar but they are nevertheless subject to the sanction of this court if the court deems that an appropriate remedy in this matter.

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<sup>1</sup> One can only guess when Mr. Merritt will openly question whether he has the “right judge” for this case.

So amended, this 26<sup>th</sup> day of October, 2021.

/s/ Kevin Gough  
Kevin Gough  
ATTORNEY FOR DEFENDANT  
Georgia Bar No. 303210

**CERTIFICATE OF SERVICE**

COMES NOW Kevin Gough, attorney for the defendant, and hereby certifies that a copy of the foregoing document(s) have been served upon the District Attorney by email delivery this date.

So moved, this 26<sup>th</sup> day of October, 2021.

/s/ Kevin Gough

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