

ORIGINAL

FILED

IN THE SUPERIOR COURT OF DOUGLAS COUNTY

FEB 21 2017

STATE OF GEORGIA

Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

IN RE: PRE-TRIAL MOTIONS AND DISCOVERY REQUESTS
IN SUPERIOR COURT CRIMINAL CASES

AMENDED STANDING ORDER

February 21, 2017

It appears that the defendants will frequently file the following motions in connection with all FELONY criminal cases pursuant to their obligations concerning such representation:

1. Notice of Defendant's Election to Proceed Under Ga. Code § 17-16-1 et seq.
2. Motion for Discovery of Statements of the Defendant.
3. Motion to Obtain Discovery of Statements Made by Witnesses for the State.
4. Defendant's Request for Information Described in Ga. Code § 17-16-8.
5. Demand for the Production of the Accused's Criminal History Pursuant to Ga. Code § 17-16-4(a)(2).
6. Demand for Inspection, Analysis and Copies of Photographs, Documents and Other Tangible Evidence.
7. Demand for the Inspection, Analysis and Testing of Scientific Evidence.
8. Discovery Motion and Motion to Require the Prosecution to Disclose Evidence Favorable to the Defendant under Brady v. Maryland.
9. Notice to Produce.
10. Motion for Disclosure of Similar or Extrinsic Act Evidence and for Pretrial Hearing to Determine Admissibility of any Acts alleged by the State to be Similar Transactions.
11. Motion to Require the State to Reveal any Agreement entered between the State and any Prosecution Witness that could conceivably Influence Testimony pursuant to Giglio v. United States.

It appears that defendants will file the following motions in connection with all MISDEMEANOR criminal cases:

1. Notice of Defendant's Election to Proceed Under Ga. Code § 17-16-20 et seq.
2. Defendant's Request for Information Described in Ga. Code §§ 17-16-21, 17-16-22 and/or 17.16-23.
3. Items Two, Three, Five, Six, Seven, Eight, Nine, Ten, Eleven and Twelve attached hereto.

It appears further that Ga. Code § 17-6-1, et seq., imposes certain obligations upon the counsel for both sides in a criminal case where the Defendant has filed an election to proceed under that statute. In order to

RECORDED IN BOOK 55, PAGE 162
DATE 2-21-2017

assist the court and parties in the expeditious handling of criminal matters, reduce costs and unnecessary paperwork, the court enters this STANDING ORDER for criminal cases as follows:

In all cases in which counsel for the defendant files an Entry of Appearance, he or she may file a single pleading invoking the motions listed herein and attached as Exhibits 1 - 12 in FELONY cases, and Exhibits 2, 3, 5, 6, 7, 8, 9, 10, 11, 12 and 13 in all MISDEMEANOR cases . That pleading may incorporate the motions in the Exhibits by express reference thereto without the need to file those exhibits in each case file. The pleading shall be called the MOTION TO INVOKE THE STANDING ORDER IN CRIMINAL CASES and shall refer to the Minute Book and Page in which the motions are entered in the records of this court.

By invoking this Standing Order, it shall be deemed that the State has made a proper demand for alibi information that complies with Ga.Code § 17-16-5. For the purposed of that code section, the date, time and place of the occurrence shall be deemed to be the same as alleged in the indictment.

Upon the filing of the pleading invoking this order, the Clerk shall note on the docket that the "Standing Motions" have been filed.

This order does not include any motions required by law to state grounds with particularity. Any such motions must be filed in accordance with applicable statutes and Uniform Superior Court Rules.


In the event of an appeal from the disposition of any criminal case in which the defendant has invoked the Standing Motions, the Clerk shall supplement the case file with a copy of the Standing Motions upon preparation of the Record.

This order supersedes all previous standing orders.

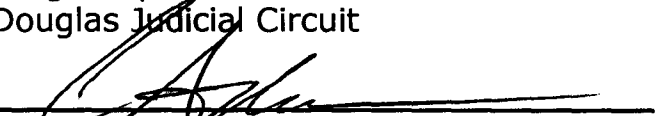
So ordered this 21st day of February, 2017.



David Emerson
Chief Judge Superior Court
Douglas Judicial Circuit



William H. McClain
Judge Superior Court
Douglas Judicial Circuit



Cynthia C. Adams
Judge Superior Court
Douglas Judicial Circuit