

CERTIFICATE EXEMPLIFICATION OF RECORD

FORM 880

CLYDE CASTLEBERRY COMPANY, COVINGTON, GA.

State of Georgia, Fayette County

CLERK'S OFFICE — ss.

I, Sheila Studdard, Clerk Superior Court

of said County, do hereby certify that I have compared the foregoing copy of Indictment, Final Disposition, Plea of Defendant, Sentence, Sentence Recommendation Agreement, Defendant's Ability to Pay Fine, Special Presentment Bench Warrant Number 992777 with an attached Copy of List of Special Presentments, District Attorney's Certificate of Service, State of Georgia's Motion For Discovery, Notice of Appearance of Counsel, Motion for Discovery and Inspection and to Disclose Evidence or Information Favorable to the Defendant, Motion to Produce Defendant's Statements and/or to Furnish Defendant with a Copy of Any Written Scientific Report, Preliminary Motion to Suppress Evidence Illegally Seized and Brief in Support, Motion in Limine and Brief in Support, Motion for Disclosure of Informants and Brief in Support Thereof, Motion to Preserve Evidence, Motion for Independent Analysis and Brief Support, Motion Reserving the Right to File Additional Motions, Order of Commutation, and Notice of Final Decision to Parole in the case of State of Georgia versus Jed Law Brettschnieder AKA "Dread" Criminal Action Number 1999R-0564 as appears in the records of file in the office of the Clerk of Superior Court Fayette County, Georgia.

with the original record thereof, now remaining in this office, and the same is a correct transcript therefrom, and the whole of such original record, and that this Court is a Court of Record.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court this the 29<sup>th</sup> day of May, 20 09.

Clerk Superior Court

Fayette County

No. \_\_\_\_\_

**STATE OF GEORGIA**

**Clerk Superior Court**

\_\_\_\_\_ County

\_\_\_\_\_ Term, 20\_\_\_\_

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Filed in Office \_\_\_\_\_, 20\_\_\_\_

Recorded \_\_\_\_\_, 20\_\_\_\_

Book \_\_\_\_\_, Page \_\_\_\_\_

\_\_\_\_\_  
Clerk Superior Court

IN THE SUPERIOR COURT OF FAYETTE COUNTY

STATE OF GEORGIA

THE STATE OF GEORGIA,

CASE NO. 99R-0587

WARRANT NO. 991216

N-428

VS.

Jed Brettschneider  
Defendant.

Felony Murder  
\_\_\_\_\_  
\_\_\_\_\_

DISMISSAL

The State, by and through WILLIAM T. McBROOM, District Attorney, hereby  
dismisses the above charge for the following reason(s): Defendant  
indicted on other charges by Grand Jury  
\_\_\_\_\_  
\_\_\_\_\_

This 20th day of September, 1999.

Tom Woodward  
Assistant District Attorney  
Griffin Judicial Circuit

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
99 SEP 23 PM 3 34  
W.A. BALLARD, CLERK

1. Bail to be considered at First Appearance Hearing.
2. Bail is hereby set at \$ \_\_\_\_\_.
3. Conditions of bail as follows:

151001

**FAYETTE COUNTY  
MAGISTRATE COURT**

WARRANT NO. 991216

**THE STATE OF GEORGIA**

vs.  
Jed Brettschneider aka.  
Brian Foy/Dread/Brandon  
Jennings

19 Brown Ave.  
Kingston, NY

**COPY GIVEN TO:**  
C. McCollum 4-28-99  
SM

4. Other Instructions:

OFFICER HAS/ ~~NOT~~  
INVESTIGATED THIS CASE

FCSO CASE # 9910278

First Appearance hearing conducted on \_\_\_\_\_, 19 \_\_\_\_\_,

and committal set for \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Deputy Clerk

Committal hearing held on \_\_\_\_\_, 19 \_\_\_\_\_, and  
bond (same) or (reduced) to: \_\_\_\_\_.

Case is (bound over to Superior Court) or  
(dismissed for insufficient evidence).

\_\_\_\_\_  
Magistrate

Warrant executed on the \_\_\_\_\_, 19 \_\_\_\_\_, at  
date of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M  
By: \_\_\_\_\_

Sgt. Larry Alden  
Prosecutor

Georgia, Fayette County

AFFIDAVIT

Personally came Sgt. Larry Alden, who on oath says that, to the best of his knowledge and belief, Jed Brettschneider, aka; Brian Foy/Dread/Brandon Jennings in the County aforesaid, commit the offense of, TO-WIT Felony Murder

in said County, between the hours of \_\_\_\_\_ M, and \_\_\_\_\_ M., on the 31 day of March, 19 99. The place occurrence of said offense being Layden Ave., Fayetteville, Fayette County, GA

and against State of Georgia

Said offense being described as a violation of OCGA 16-5-1 (Felony Murder), to wit: Subject did on the above date, between 2000 and 2100 hours, on Layden Ave., Fayetteville, Fayette County, Georgia, conspire with others to traffic in marijuana, Code OCGA 16-13-31C1 which resulted in the death of Adolf Stubbs by gunshot to the head.

and thus deponent makes this affidavit that a warrant may issue for his arrest.

[Signature] #1125  
Affiant

Sworn to and subscribed before me this 26 day of April, 19 99

[Signature]  
Judge Magistrate

Georgia, Fayette County

To any Sheriff or his Deputy, Officer, Coroner, Constable, or Marshal of said state, GREETING:

For sufficient causes made known to me in the above affidavit, you are hereby commanded to arrest Jed Brettschneider aka: Brian Foy/Dread/Brandon Jennings the defendant named in the foregoing affidavit charged by the prosecutor therein with the offense against the laws of this State as enunciated in said affidavit and bring him before me or some other Judicial Officer of this State to be dealt with as the law directs.

Herein fail not. This April 26, 1999

[Signature]  
Judge Magistrate

Defendant's Address: 19 Brown Ave., Kingston, New York

WITNESS LIST

Name \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_

[Faint mirrored text]

FAYETTE County Superior Court  
 SEPTEMBER Term, 19 99  
 No. 99R-0564

# Griffin Judicial Circuit

M. HATTAWAY/BRUCE JORDAN  
 Prosecutor True Bill  
 Foreman Tony V. Parrott

N-417

**WILLIAM T. McBROOM**  
 District Attorney

State of Georgia  
 vs.  
 JED LAW BRETTSCHNIEDER  
 AKA "DREAD"

---

**Charge:** SPECIAL PRESENTMENT  
 VIOLATION OF GEORGIA CONTROLLED  
 SUBSTANCES ACT: POSSESSION OF  
 MARIJUANA (FELONY)

---

Returned in open court this 15th day  
 of September, 19 99  
Ed W. Ballard Clerk, Superior Court

**Witnesses**  
 \*indicates Grand Jury Witness  
 \*DET. MIKE HATTAWAY  
 MAJOR BRUCE JORDAN  
 FAYETTE COUNTY SHERIFF'S DEPT.  
 155 JOHNSON AVENUE  
 FAYETTEVILLE, GEORGIA 30214  
 770/461-6353

BONDSMAN:

JED LAW BRETTSCHNIEDER ~~AKA "DREAD"~~

The defendant(s) Not Guilty waives formal arraignment and plead(s)

This 21 day of February, 19 2000

Jed Brett Schneider Defendant  
Thomas J. Leon (Assistant) District Attorney  
[Signature] Defendant's Attorney

Defendant Defendant's Attorney

**Verdict**

We, the jury, find the defendant \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Foreperson

**BILL OF INDICTMENT**

GEORGIA, FAYETTE COUNTY:

**IN THE SUPERIOR COURT OF SAID COUNTY**

The Grand Jurors, selected, chosen, and sworn for the County of FAYETTE, to wit:

- 1. Tony V. Parrott, Foreman
- 2. Virginia W. Bass
- 3. Alice L. Harrison
- 4. Lincoln Paul Blackwood
- 5. James David Lanier
- 6. Jennifer M. Chidester
- 7. Steve Newcome
- 8. Mary E. Dawson
- 9. Mary J. Miller
- 10. Henrietta S. Eubanks
- 11. Nancy Renea Simmons
- 12. James A. Ferguson
- 13. Tommy M. Tolbert
- 14. ~~Jeffery Tooley~~
- 15. Chris Robertson
- 16. Peggy Ann Bigelow
- 17. Rebecca Crowell

In the name and behalf of the citizens of Georgia, charge and accuse JED LAW BRETTSCHEIDER AKA "DREAD" with the offense of VIOLATION OF GEORGIA CONTROLLED SUBSTANCES ACT

for that the said JED LAW BRETTSCHEIDER AKA "DREAD" in the County and State aforesaid, on the 31<sup>ST</sup> day of MARCH, in the Year of Our Lord Nineteen Hundred and NINETY-NINE, did with unlawfully possess a controlled substance, to wit: Marijuana, more than one ounce, in violation of the Georgia Controlled Substances Act,

contrary to the laws of said State, the good order, peace and dignity thereof.

**WILLIAM T. McBROOM**  
District Attorney

BOOK 654 PAGE 719

SUPERIOR COURT OF FAYETTE COUNTY, GEORGIA

FINAL DISPOSITION

SEPTEMBER Term, 2000

CRIMINAL ACTION NO. 99R-0564

THE STATE VS.

OFFENSE(S): VIOLATION OF GEORGIA CONTROLLED SUBSTANCES ACT; POSSESSION OF MARIJUANA (FELONY)

JED LAW BRETTSCHNIEDER AKA "DREAD"

OTN: 77237915

- PLEA: [X] NEGOTIATED, [X] GUILTY ON COUNT(S), [ ] NOLO CONTENDERE ON COUNT(S), [ ] TO LESSER INCLUDED OFFENSE(S) ON COUNT(S); VERDICT: [ ] JURY, [ ] NON-JURY, [ ] GUILTY ON COUNT(S), [ ] NOT GUILTY ON COUNT(S), [ ] GUILTY OF INCLUDED OFFENSE(S) ON COUNT(S); OTHER DISPOSITION: [ ] NOLLE PROSEQUI ORDER ON COUNT(S), [ ] DEAD DOCKET ORDER ON COUNT(S); DEFENDANT WAS ADVISED OF HIS/HER RIGHT TO HAVE THIS SENTENCE REVIEWED BY THE SUPERIOR COURTS SENTENCE REVIEW PANEL.

[X] FELONY SENTENCE [ ] MISDEMEANOR SENTENCE

WHEREAS, the above-named defendant has been found guilty of the above-stated offense, WHEREUPON, it is ordered and adjudged by the Court that: The said defendant is hereby sentenced to confinement for a period of 10 yrs, 7 yrs to serve 3 yrs probated. Must testify truthfully and fully concerning the case of State vs. Hodge, Hamilton and Wilson.

in the State Penal System or such other institution as the Commissioner of the State Department of Corrections or Court may direct, to be computed as provided by law. HOWEVER, it is further ordered by the Court.

- [ ] 1) THAT the above sentence may be served on probation; [X] 2) THAT upon service of 7 years of the above sentence, the remainder of 3 years may be served on probation PROVIDED that the said defendant complies with the following general and other conditions herein imposed by the Court as a part of this sentence.

FIRST OFFENDER TREATMENT

WHEREAS, said defendant has not previously been convicted of a felony nor availed himself of the provision of the First Offender Act (Ga. Laws, 1968, p. 324). NOW, THEREFORE, the defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed at this time, but that further proceedings are deferred and defendant is hereby sentenced to confinement for the period of

in the State Penal System or such other institution as the Commissioner of the State Department of Corrections or Court may direct, to be computed as provided by law. HOWEVER, it is further ordered by the Court

- [ ] 1) THAT the above sentence may be served on probation; [ ] 2) THAT upon service of of the above sentence, the remainder of may be served on probation PROVIDED that said defendant complies with the following general and special conditions herein imposed by the Court as part of this sentence: PROVIDED, further, that upon violation of the terms of probation, the Court may enter an adjudication of guilt and proceed to sentence defendant to the maximum sentence provided by law. Upon fulfillment of the terms of probation, or upon release of the defendant by the Court prior to the termination of the period thereof, the defendant shall stand discharged of said offense charged and shall be completely exonerated of guilt of said offense charged. Let a copy of this Order be forwarded to the Office of the State Probation System of Georgia, and the identification Division of the Federal Bureau of Investigation.

IT IS THEREFORE ORDERED that the Defendant pay a fine in the amount of \$ 0 plus \$ pursuant to OCGA 15-21-70, (POPTF), plus \$ pursuant to OCGA 15-21-93, (JCSA); plus \$ pursuant to OCGA 15-21-131, (CVAP); and pay restitution in the amount of \$ to \$; DUI surcharge; \$ 23.00 Monthly Probation Fee; \$ Other Costs. Payable to the Fayetteville Probation Office To pay 23.00 fee. To start 30 days after release

IT IS THE FURTHER ORDER of the Court, and the defendant is hereby advised that the Court may, at any time, revoke any conditions of this probation and/or discharge the defendant from probation. The probationer shall be subject to arrest for violation of any condition or probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting therefrom the amount of time the defendant has served on probation.

The defendant was represented by the Honorable Bruce Morris Attorney at Law, by (Employment)(Appointment).

So ordered this 25th day of September, 2000

JOHNNIE L. CALDWELL, JR Judge, Fayette Superior Court

Filed in Office, this 28th day of September, 19, 2000. Clerk W. A. Ballard

**GENERAL CONDITIONS OF PROBATION**

The defendant, having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the following general conditions of probation:

- 1) Do not violate the criminal laws of any governmental unit.
- 2) Avoid injurious and vicious habits - especially alcoholic intoxication and narcotics and other dangerous drugs unless prescribed lawfully.
- 3) Avoid persons or places of disreputable or harmful character.
- 4) Report to the Probation-Parole Supervisor as directed and permit such Supervisor to visit him (her) at home or elsewhere.
- 5) Work faithfully at suitable employment insofar as may be possible.
- 6) Do not change his (her) present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor.
- 7) Support his (her) legal dependents to the best of his (her) ability.
- 8) Probationer shall, from time to time upon oral or written request by any Probation Officer, produce a breath, urine, and/or blood specimen for analysis for the possible presence of a substance prohibited or controlled by any law of the State of Georgia or of the United States.
- 9) If VGCSA case made after 7-1-90 must submit driver's license to Probation Office instanter.
- 10) Defendant shall participate in any option listed below and any other educational/counseling/treatment program presently or subsequently approved by the Court. Specific program participation will be considered by the Court upon recommendation of the Probation Office.

- |  |   |
|--|---|
| <input type="checkbox"/> 1) Substance Abuse Treatment    | <input type="checkbox"/> 7) Marriage Counseling       |
| <input type="checkbox"/> 2) Sex Offender Treatment       | <input type="checkbox"/> 8) Parenting Skills Training |
| <input type="checkbox"/> 3) Domestic Violence Counseling | <input type="checkbox"/> 9) Job Readiness Training    |
| <input type="checkbox"/> 4) Violent Behavior Counseling  | <input type="checkbox"/> 10) Adult Education          |
| <input type="checkbox"/> 5) Mental Health Counseling     | <input type="checkbox"/> 11) Vocational Training      |
| <input type="checkbox"/> 6) Financial Counseling         | <input type="checkbox"/> 12) Other _____              |

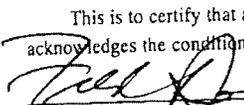
11) Probationer shall submit to a search of his person, residence, vehicles and/or effects and other personal property, as these terms of the Fourth Amendment to the United States Constitution are defined by the Courts, any time of the day or night with or without a search warrant, whenever requested to do so by his supervising Probation Officer or by any City, County or State Law Enforcement Officer upon reasonable cause to believe that probationer is in violation of the terms of his probation or otherwise acting in violation of the law. [STATE V. SAPP, 214 Ga. App. 428 (1994)]

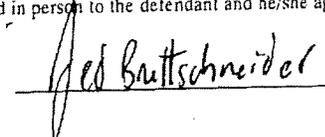
**SPECIAL CONDITIONS OF PROBATION**

- A Defendant shall successfully complete the requirements of Intensive Probation and is hereby ordered to comply with all special conditions, rules and regulations thereof and hereto attached.
- B Defendant shall successfully complete a Diversion Center Program, operated by the Georgia Department of Corrections, subject to all rules and regulations thereof. Defendant's release shall be at the discretion of the Center Superintendent.
- C Defendant is remanded to the custody and supervision of a Probation Detention Center, operated by the Georgia Department of Corrections, for a period of not less than 60 nor more than 120 days, subject to all rules and regulations thereof and hereto attached.
- D Defendant is remanded to the custody and supervision of a Probation Boot Camp, operated by the Georgia Department of Corrections, for a period not to exceed 120 days, subject to all rules and regulations thereof and hereto attached.
- E Defendant shall perform \_\_\_\_\_ hours community service work as directed by the Probation Officer subject to the Georgia Department of Corrections Community Service Agreement.
- F Defendant shall successfully complete the electronic monitoring program and comply with all rules and regulations thereof and hereto attached.
- G Other special conditions \_\_\_\_\_

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of both pages of this Sentence of Probation has been delivered in person to the defendant and he/she agrees to and acknowledges the conditions as set forth. This 28 day of Sept 2000

  
\_\_\_\_\_  
Probation Officer

  
\_\_\_\_\_  
Probationer

IN THE SUPERIOR COURT OF FAYETTE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

CASE NO.

VS.

99R-0564

Ted Law Brettschneider  
DEFENDANT.

**PLEA OF DEFENDANT**

COMES NOW, the Defendant in the above-named, and withdraws his/her previous plea of not guilty and pleads guilty.

This 25<sup>th</sup> day of Sept., 2000.

Ted Brettschneider  
Defendant

W. J. J. J. J.  
Assistant District Attorney

Brian Sullivan  
Attorney for Defendant

*Jail - 9/15*

IN THE SUPERIOR COURT OF Jayette COUNTY  
STATE OF GEORGIA

THE STATE OF GEORGIA,

\* CASE NO.: 99 R-0564

-VS-

\* COUNT (S) V.G.C.S.A.

Jed Row Brettschneider

\* possession of more than  
1 oz. of marijuana

Defendant

SENTENCE

10 MONTHS/<sup>seven</sup> YEARS, FINE OF \$ \_\_\_\_\_, PROBATED IF PAID; PLUS ADDITIONAL FEES AND PENALTIES OF:

\$ \_\_\_\_\_, PURSUANT TO PEACE OFFICER & PROSECUTOR TRAINING ACT;

\$ \_\_\_\_\_, PURSUANT TO JAIL CONSTRUCTION AND STAFFING ACT;

\$ \_\_\_\_\_, PURSUANT TO CRIME VICTIM ASSISTANCE PROGRAM ACT;

\$ \_\_\_\_\_, SPINAL INJURY TRUST FUND, IF DUI OFFENSE

\$ \_\_\_\_\_, PURSUANT COUNTY DRUG ABUSE TREATMENT AND EDUCATION FUND;  
IF DRUG OFFENSE.

\$25.00, PURSUANT TO GA. CRIME VICTIMS EMERGENCY FUND, IF DUI OFFENSE

\$25.00/\$50.00, ONE-TIME PROBATION FEE PURSUANT TO 42-8-34.

\$23.00 PER MONTH PROBATION SUPERVISION FEE.

THE FOLLOWING SHALL BE SPECIAL CONDITIONS OF PROBATION:

10 years, seven 7 years, followed by 3 years on probation;  
fine; special condition: must testify truthfully and fully  
concerning the case of State vs. Hodge, Hamilton  
and Wilson

\_\_\_\_\_ HOURS COMMUNITY SERVICE, TO INCLUDE ANY FEES AND COSTS INCURRED IN CONNECTION THEREWITH.

SO ORDERED, THIS 25<sup>th</sup> DAY OF September 2000.

[Signature]  
JUDGE, SUPERIOR COURTS  
GRIFFIN JUDICIAL CIRCUIT

GEORGIA, Jayette COUNTY : NO. 99 R - 0564  
 THE STATE, :  
 VS. : Jayette COUNTY SUPERIOR COURT  
Jed Low Brettschneider :

I, the Defendant hereinabove named, do hereby certify that the following questions have been asked me prior to my entering a plea of guilty in the above-styled matter, and that I have answered truthfully to each question; further, that I have not been misled or induced to enter this plea by fraud or mistake, and that my answers to the following questions constitute the basis for the Court accepting my plea of guilty in this matter.

QUESTIONS

1. Do you understand the nature of the offense that you are charged with?
2. Do you understand that by entering a plea of guilty that you waive;
  - a) the right to a trial by jury and right to counsel at said trial;
  - b) the presumption of innocence;
  - c) the right to confront witnesses against yourself;
  - d) the right to subpoena witnesses;
  - e) the right to testify and to offer other evidence;
  - f) the right not to incriminate yourself and that by pleading not guilty or remaining silent and not entering a plea, one obtains a jury trial;
3. Do you further understand;
  - a) the terms of any negotiated plea;
  - b) that a recommendation, if any, made by the State may be accepted or rejected by the Court;
  - c) the maximum possible sentence on the charge, including that possible from consecutive sentences and enhanced sentences where provided by law;
  - d) the mandatory minimum sentence, if any, on the charge.
4. Are you under the influence of alcohol or drugs at the present time?

It is further expressly understood by the District Attorney, and the Defendant, and defendant's counsel, that the recommendations and terms stated herein will be made or applied if and only if the defendant's plea(s) of guilty to the charge(s) as stated (is)(are) tendered and accepted. However, nothing herein prevents the defendant from refusing to enter any plea and going to trial. The waiver of defendant's right to trial, either by jury or by the Court, can only be made in open Court, and this agreement is not a waiver of that right. No other promises of any sort have been made by anyone. If the Defendant's plea of guilty is accepted by the Court, this document shall constitute evidence that the plea was freely and voluntarily made.

9/25/0  
 DATE  
 WITNESSED BY ATTORNEY:  
Bruce H. Morris  
 SIGNATURE OF ACCUSED  
Jed Brettschneider

SENTENCE-RECOMMENDATION AGREEMENT

The District Attorney hereby agrees to recommend the following sentence(s) to the Court, after entrance and acceptance of (a) guilty plea(s) to the following charge(s) by the defendant in the above-named case:

CHARGE	<u>VGCSA - Poss &gt; 1oz</u>	RECOMMENDATION	<u>10 yrs - 3 serve + fine</u>
CHARGE	_____	RECOMMENDATION	<u>Special Condition - Must</u>
CHARGE	_____	RECOMMENDATION	<u>testify truthfully &amp; fully</u>
CHARGE	_____	RECOMMENDATION	<u>concerning the the case of</u>
CHARGE	_____	RECOMMENDATION	<u>State vs. Hodge, Hamilton &amp;</u>

Wilson.  
No Criminal History  
 BOOK 654 PAGE 725

IN THE SUPERIOR COURT OF FAYETTE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

:

CASE NO. 99R-0564

VS.

:

Ted Lawrence Buttschneider  
DEFENDANT.

DEFENDANT'S ABILITY TO PAY FINE

I hereby state that I am able to work and have the ability to pay a fine in accordance with the provisions of the Court's order.

Ted Buttschneider  
Defendant

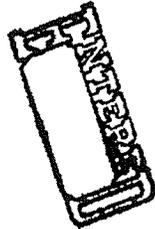
[Signature]  
Attorney for the Defendant

This 25<sup>th</sup> day of Sept., 2000.

10210

No. 992777

**Bench Warrant and Bond**



SUPERIOR COURT

Term, 19\_\_

THE STATE

vs.

JED LAW BRETSCHNEIDER

Sheriff take good bond in the sum of

Dollars

District Attorney \_\_\_\_\_ Circuit

Georgia, \_\_\_\_\_ County

Before me in person came \_\_\_\_\_

who, being sworn, deposes and says that he owns in his own right and name real estate lying in said County, of the value of \_\_\_\_\_ Hundred Dollars,

the amount of said Bond, over and above the sum of Sixteen Hundred Dollars, which may be claimed as exempt from levy and sale for debts under the Constitution and Laws of this State, and all debts and other liabilities.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

\_\_\_\_\_  
Sheriff

277 MAY 25 1999

BENCH WARRANT AND BOND.

Form 847

NOV 22

LYDE CASTLEBERRY COMPANY - COVINGTON, GA. 30208

State of Georgia, Fayette County

To all and Singular the Sheriffs, Constables, and Coroners of said State — Greeting:

Whereas, at September Term, 19 99, of the Superior Court of the County aforesaid, the Grand Jury did find a True Bill against Jed Law Brettschnieder aka "Dread"

for the offense of VGCSA: Possession of Marijuana (Felony) Special Presentment

You and each of you are therefore commanded in the name of the State to apprehend the said Defendant, and in default of his giving bond and surety in the sum ordered on the back of this Warrant, to commit him to the common jail of said County, to be dealt with as the law directs; and to make diligent search for all and singular the estates, both real and personal, of said Defendant and levy on the same, or so much thereof as will be sufficient for the payment of all legal costs and expenses that may be incurred.

Given under my hand and seal this 23rd day of September, 19 99.

William T. McBroom

Griffin Circuit

*Presenne A. Lyde*

Griffin Circuit

State of Georgia, \_\_\_\_\_ County

\*\*\*\*\*

Know all Men by These Presents, That, we \_\_\_\_\_ Principal, and \_\_\_\_\_

\_\_\_\_\_ Security, acknowledge ourselves held and firmly bound unto his Excellency, \_\_\_\_\_, Governor of Georgia, and his successors in office, in the sum of \_\_\_\_\_ Dollars, for the true payment of which we bind ourselves, our heirs, executors, administrators and assigns.

The condition of the above obligation is as follows:

Whereas, the Grand Jury, at the \_\_\_\_\_ Term of the Superior Court for said County, did find a \_\_\_\_\_ against \_\_\_\_\_ for the offense of \_\_\_\_\_

Now, should the said \_\_\_\_\_ personally be at the \_\_\_\_\_ Superior Court, to be held in and for the County of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, and personally attend said Court, and abide trial and judgment of the Court in said case from day to day and term to term, and not depart from said Court without leave of the Court, then this Bond to be void, else to remain in full force and effect.

And the better to secure the payment of this Bond, in the event of forfeiture, we each, for ourselves and families, and as the head of our respective families, renounce and waive all right and benefit of the homestead and exemption laws of this State, whether the same be guaranteed by Constitution or legislative provisions providing for homestead and exemptions to the people of Georgia; and each of us assert and say that we have never taken or availed ourselves of any homestead or exemption under the laws of this State, or the United States, or elsewhere.

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

Bond taken and approved before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

# Special Presentments COPY

	Name	Indictment No.
	Mhiya Brown	99R-0450
	Steven Hines	99R-0504
	<del>John Matay</del>	<del>99R-0521</del>
419	Gilen Hamilton	99R-0569
426	Dennis Wilson	99R-0582
421	Paul Hylton	99R-0572
417	Jed Brefschneider	99R-0564
420	Carl Hodge	99R-0570
421	Nathan Phillips	99R-0573

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
DEKALB COUNTY, GA.  
99 SEP 20 AM 10 03  
W.A. BALLARD, CLERK

IN THE SUPERIOR COURT OF FAYETTE COUNTY

STATE OF GEORGIA

ORIGINAL

STATE OF GEORGIA

INDICTMENT NO.

VS.

99R-0564

God Law Brettschnieder

**CERTIFICATE OF SERVICE**

This is to certify that I have this date provided Jeff Warshaw, Counsel for the Defense access to all discoverable material and information, as provided under O.C.G.A. section 17-16-1 et. seq., including but not limited to:

- Copy of Indictment with Witnesses
- Additional Witnesses
- Change of Address (s)
- GBI Crime Lab Report
- Medical Examiner Autopsy Report
- Intoxilyser Report
- Hospital/Medical Records
- Defendant's Statement
- Miranda Waiver
- Statement (s) of Witness (s)
- Defendant's GCIC Criminal History
- Notice of Aggravation of Punishment
- Notice of Similar Transactions
- Search Warrant (s)
- Incident Reports
- Other: \_\_\_\_\_

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FAYETTE COUNTY, GA.  
00 FEB 21 PM 11 06  
W.A. BALLARD, CLERK

If you do not receive any of the above-referenced items, please contact me immediately at (770)461-3807 ext. 3470.

Additionally, please contact our office to arrange a time for compliance with O.C.G.A. Sections 17-16-4 (a) and 17-16-4 (b).

I hereby certify that I have this day served the Defendant with a copy of the above checked items by:

- VIA HAND DELIVERY
- VIA FACSIMILE
- By placing a copy of the same in the United States mail with proper postage affixed thereon and addressed to:

This 21<sup>st</sup> day of February, ~~1999~~ 2000

Tom Woodward  
Assistant District Attorney  
Griffin Judicial Circuit

P.O. Box 1498  
Fayetteville, Georgia 30214

IN THE SUPERIOR COURT OF FAYETTE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

INDICTMENT NO. 99R-0564

VS.

Jed Law Brettschnieder

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA  
00 FEB 21 AM 11 06  
W.A. BALLARD, CLERK

STATE OF GEORGIA'S MOTION FOR DISCOVERY

COMES NOW, the State of Georgia and moves the defendant pursuant to O.C.G.A. Section 17-16-1 et. seq. for the following discovery information:

1. **Documentary and Tangible Evidence:** Pursuant to O.C.G.A. Section 17-16-4 (b), the State respectfully requests that the defendant disclose to the State, and make available for inspecting, copying, or photographing, all documentary and tangible evidence that the defendant intends to use as evidence at trial. This includes, but is not limited to, any books, papers, documents, photographs, tangible objects, audio recordings, visual recordings, buildings, and places.
2. **Physical and Mental Examinations, Scientific Tests or Experiments:** Pursuant to O.C. G. A. Section 17-16-4 (b) (2), the State respectfully requests that the defendant disclose to the State, and make available for inspecting, copying or photocopying, all physical and mental examinations and scientific tests or experiments that the defendant intends to use as evidence at trial. This includes any results or reports of physical or mental examinations and of scientific tests or experiments including the summary of the basis for the expert opinion rendered in the report.
3. **Witness List:** Pursuant to O.C.G.A. Section 17-16-8, the State respectfully requests that the defendant furnish to the State the names, current locations, dates of birth, social security numbers, and telephone numbers of any witness the defendant intends to call at trial or hearing.
4. **Witness Statement:** Pursuant to O.C.G.A. Section 17-16-8, the State respectfully requests that the defendant furnish to the State any statement of any witness that relates to the subject matter concerning the testimony of that witness that the defendant intends to call as a witness at trial or hearing.

5. **Alibi Witness (es):** Pursuant to O.C.G.A. Section 17-16-5, the State respectfully requests that the defendant serve upon the State a written notice of the defendant's intention to offer a defense of alibi. The State requests that this notice state the specific place or places where defendant claims to have been at the time of the alleged offense and the names, addresses, dates of birth, social security numbers, and telephone numbers of witnesses the defendant will use to establish alibi.

This the 21<sup>st</sup> day of February, ~~1999~~ <sup>2000</sup>.

Tom Woodward  
Assistant District Attorney

P.O. Box 1498  
Fayetteville, Georgia 30214  
770-461-3808 ext. 3470

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of this pleading upon the defendant/counsel for the Defendant, by hand delivering a copy of same.

This 21<sup>st</sup> day of February, ~~1999~~ <sup>2000</sup>.

Tom Woodward  
Assistant District Attorney

IN THE SUPERIOR OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

INDICTMENT NO.

99R-0564

NOTICE OF APPEARANCE OF COUNSEL

COME NOW Bruce H. Morris and Jeff D. Warshaw, Attorneys-at-Law, and hereby file their Notice of Appearance of Counsel on behalf of the Defendant Jed Law Brettschneider in the above-numbered case.

This 3<sup>rd</sup> day of ~~February~~ March, 2000.

Respectfully submitted,

FINESTONE & MORRIS  
Attorneys for Defendant

By: [Signature]  
BRUCE H. MORRIS  
Georgia Bar No. 523575

By: [Signature]  
JEFF D. WARSHAW 8545  
Georgia Bar No. 738742

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
00 MAR 6 PM 1 00  
W.A. BALLARD, CLERK

Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of Notice of Appearance of Counsel upon:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

by mailing a true and correct copy through the United States mail with sufficient postage affixed thereon.

This 3<sup>d</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw

IN THE SUPERIOR OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

.....

INDICTMENT NO.

99R-0564

CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GEORGIA  
JAN 11 2000  
JED LAW BRETTSCHEIDER

**MOTION FOR DISCOVERY AND INSPECTION AND  
TO DISCLOSE EVIDENCE OR INFORMATION  
FAVORABLE TO THE DEFENDANT**

Comes now, Defendant, JED LAW BRETTSCHEIDER, by and through his undersigned counsel, and respectfully moves this Honorable Court, pursuant to O.C.G.A. §17-6-1, et seq. and Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, the Fifth and Sixth Amendments to the Constitution of the United States, and the Constitution of the State of Georgia, for an order directing the prosecution to produce and permit the Defendant to inspect, copy or photograph each of the following, which are now known to or in the possession of the Government, or any of its agents, or which through due diligence would become known from the investigating officers or agencies and from witnesses or persons having knowledge of this case:

- 1.

Any and all statements, confessions, or admissions made by the Defendant, whether written or oral, subsequently reduced to writing, or summarized in officers' reports or copies thereof, including the rough notes of such officers.

2.

The substance of any oral statement made by the Defendant which the Government intends to offer into evidence at trial, whether before or after arrest in response to interrogation by any person then known to the Defendant to be a Government agent.

3.

With regard to the information requested in paragraphs 1 and 2, the name, title and address of the individual to whom said statement was made, the date, location and time that the statement was made, and the name and address of any other individual present at the time the statement was made.

4.

Any statement by the Defendant which was tape-recorded. Also requested are exact copies of such tape-recordings, documents authorizing the interception of said conversation, and the date the recording was made, and the identify of all persons whose voices were intercepted.

5.

Any oral statements made by the Defendant to, or overheard by, a law enforcement officer or other agent of the Government which was the subject of a verbatim or summarized report or written memorandum by the officer or agent.

6.

The Federal Bureau of Investigation arrest report of each Government witness, to be produced prior to the time of trial.

7.

The criminal record of this Defendant, including, but not limited to, F.B.I., state or local arrest records of the Defendant. O.C.G.A. § 17-6-4(a)(2).

8.

Any and all videotaped events or photographs allegedly depicting the Defendant in connection with this case.

9.

Any and all evidence of transactions or conduct of the Defendant which are not the subject matter of this indictment, but which the Government might offer as evidence on the question of intent, motive, opportunity, preparation, plan, knowledge, identity, absence of mistake or accident, or like legal ground.

10.

The names, addresses, current telephone numbers, and criminal records of all persons expected to testify for the Government at trial.

11.

Any and all evidence or information which may be used to impeach any Government witness or which may lead to evidence which might be used to impeach any Government witness.

12.

Any and all statements of any potential Government witnesses which may be inconsistent, in whole or in part, with any of the statements made by the same individual; and any statements made by potential Government witnesses which are inconsistent, in

whole or in part, with any statements made by co-defendants or other individuals who have given statements relevant to the charges against this Defendant. This request includes statements by co-defendants that will be attributed to the Defendant under the co-conspirator exception to the hearsay rule or some other variant of vicarious liability.

13.

As to all persons who will testify for the Government in its case-in-chief or in rebuttal, or whose testimony has been used before the Grand Jury to obtain the present indictment, or whose sworn testimony or statements will be used in this trial, although the witness will not testify, the following specific and detailed information is requested: The existence and substance, the manner of execution or fulfillment, or any promises, agreements, understandings and arrangements, either verbal or written, between the Government and any prosecution witness, or his or her attorney or representative, wherein the Government, either federal or state, has agreed, either expressly or impliedly, as follows:

- (a) Not to prosecute the witness for any crime or crimes;
- (b) Not to prosecute a third party for any crime or crimes;
- (c) To provide a formal grant of immunity, or to provide an informal assurance that the witness will not be prosecuted in connection with any testimony given by him;
- (d) To recommend leniency in sentencing for any crime or crimes for which he is convicted;
- (e) To recommend a particular sentence for any crime or crimes for which he has been convicted;

(f) To provide favorable treatment or consideration, that is, money or like, to the witness himself or to friends or relatives of the witness in return for the witnesses's cooperation and/or testimony;

(g) To make any other recommendation of any benefit, however slight, or to give any other consideration to the witness or friends or relatives of the witness;

(h) Reveal and disclose with particularity any and all agreements or understandings reached between the Government and any state or local political entity or investigative body in this case.

14.

The names and addresses of all persons given a promise of immunity by the Government, whether formal or informal, in connection with the Government's criminal investigation of this case and the dates thereof, irrespective of whether such person will be a witness for the Government or not.

15.

Any and all tangible items obtained from the Defendant.

16.

Any and all items seized as a result of any search of the Defendant or of any property in which he arguably had a reasonable expectation of privacy.

17.

Any and all tangible objects intended to be introduced into evidence by the Government.

18.

The identity of any and all informants, including confidential informants, undercover agents, or other secret agents of the United States, or of any state or local government, who participated in the investigation, prosecution, or other aspects of this case.

19.

A list of all disbursements and/or consideration and/or favors given to any one or all informants in this case.

20.

Any and all documents, instruments, forms or statements of any kind signed or purported to have been signed by the Defendant.

21.

Any and all property in the possession of the Government or its agents, or seized by the Government or its agents, belonging or alleged by the Government to belong to the Defendant.

22.

All results or reports and all notes or other recordation of data or methodology of scientific tests and experiments and examinations arguably relevant to this case, including examinations of any prosecution witnesses, any defendant, fingerprint comparisons, handwriting analyses, laboratory reports, and chemical analyses, including any and all materials covered by O.C.G.A. § 17-7-211. This request seeks such information regardless of whether or not the test results will be used by the State at trial. O.C.G.A. § 17-16-4(a)(3) and (4).

23.

Written reports of any chemical analyses of the alleged contraband prepared by the State or any of its agents or anyone at its direction, together with any descriptions, test results, test dates, and any determinations as to the nature or weight of said substances.

24.

Copies of all search warrants and arrest warrants and supporting affidavits.

25.

Pursuant to O.C.G.A. § 17-16-3, a copy of the indictment.

26.

Pursuant to O.C.G.A. §§ 17-16-3 and 17-16-8, a copy of the State's witness list including the current location of each witness, his or her date of birth, social security number, and phone number.

27.

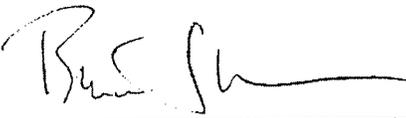
Pursuant to O.C.G.A. § 17-6-7, copies of the statements of all witnesses.

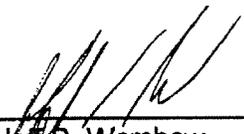
WHEREFORE, Defendant respectfully prays that this Honorable Court enter an Order granting the above-requested discovery, and reserving Defendant's right to supplement

and amend this Motion as the disclosure of information provides further basis for relief.

Respectfully submitted,

**FINESTONE & MORRIS**  
Attorneys for Defendant

BY:   
\_\_\_\_\_  
Bruce H. Morris  
Georgia Bar No. 523575

BY:   
\_\_\_\_\_  
Jeff D. Warshaw  
Georgia Bar No. 738742

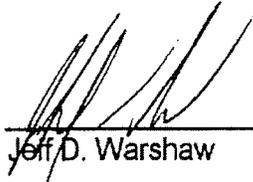
Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION FOR DISCOVERY AND INSPECTION AND TO DISCLOSE EVIDENCE OR INFORMATION FAVORABLE TO THE DEFENDANT" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Atlanta, Georgia 30214

This 3<sup>d</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw

IN THE SUPERIOR OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

INDICTMENT NO.

99R-0564

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
00 MAR 6 PM 1 00  
W.A. BALLARD, CLERK

**MOTION TO PRODUCE DEFENDANT'S STATEMENTS  
AND/OR TO FURNISH DEFENDANT WITH A COPY  
OF ANY WRITTEN SCIENTIFIC REPORT**

Comes now, Defendant JED LAW BRETTSCHEIDER, by and through his undersigned counsel, and respectfully moves this Court for the discovery of any statements allegedly made by the Defendant while in police custody, whether written or oral, pursuant to O.C.G.A. § 17-7-210.

1.

If the Defendant's statements are oral or partially oral, the prosecution is requested to furnish in writing all relevant and material portions of the Defendant's statements. It is further requested that newly discovered evidence be produced as soon as possible after it has been discovered.

2.

Defendant moves further, pursuant to O.C.G.A. §17-7-211, for a complete copy of any written scientific reports in the possession of the prosecution which will be introduced

in whole or in part against the Defendant by the prosecution in its case-in-chief or in rebuttal.

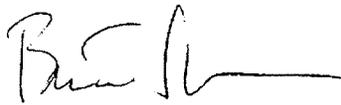
3.

It is requested that all information which is required to be produced be furnished sufficiently prior to trial to permit defense counsel to examine and analyze same.

WHEREFORE, Defendant respectfully prays that this Court issue an Order permitting the production of any and all statements attributable to the Defendant and production of any written scientific reports.

Respectfully submitted,

FINESTONE & MORRIS  
Attorneys for Defendant

BY:   
\_\_\_\_\_  
Bruce H. Morris  
Georgia Bar No. 523575

BY:   
\_\_\_\_\_  
Jeff D. Warshaw  
Georgia Bar No. 738742

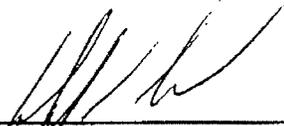
Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION TO PRODUCE DEFENDANT'S STATEMENTS AND/OR TO FURNISH DEFENDANT WITH A COPY OF ANY WRITTEN SCIENTIFIC REPORT" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

This 3<sup>rd</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warsaw

IN THE SUPERIOR COURT OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

Plaintiff,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

CRIMINAL INDICTMENT  
NO.: 99R-0564

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GEORGIA  
A.A. BALLARD, CLERK  
OCT 11 1999

**PRELIMINARY MOTION TO SUPPRESS EVIDENCE  
ILLEGALLY SEIZED AND BRIEF IN SUPPORT**

Comes now, Defendant, JED LAW BRETTSCHEIDER, by and through his undersigned counsel, and respectfully moves this Court, pursuant to O.C.G.A. §17-5-30, the Fourth Amendment to the United States Constitution and the Fourth Amendment to the Constitution of Georgia, to suppress any and all evidence resulting from the search and seizure conducted of the Defendant's person, premises and property for the reasons urged herein as follows:

1.

Defendant is unaware of what searches of his premises and property have been conducted by law enforcement agents. In the event said search and seizure occurred and was made without a warrant and without probable cause, such search was in violation of the Fourth Amendment to the United States Constitution and the Constitution of the State of Georgia.

2.

Any such searches and seizures were illegal, because same were conducted without probable cause or permission. There were no facts or circumstances within the knowledge of the officers involved to justify such a search, nor were the requisite exigent circumstances existent. See, Bogan v. State, 165 Ga. App. 851, 303 S.E.2d 48 (1983).

3.

Defendant was arrested without probable cause and without a warrant and any search incident to his arrest is tainted. Therefore, the fruits of any search must be suppressed.

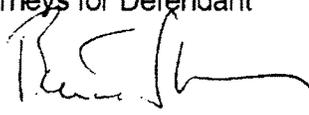
4.

In view of the fact that discovery has not yet been completed, and a request for copies of search warrants and the results of any searches has been requested but not yet received, Defendant respectfully requests the opportunity to withdraw or supplement this Motion as appropriate when such discovery is completed.

WHEREFORE, Defendant requests that the items seized during any illegal searches be suppressed as evidence against him, and for such other and further relief as the Court deems just and proper.

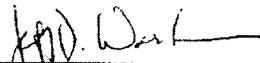
Respectfully submitted,

FINESTONE & MORRIS  
Attorneys for Defendant

By: 

\_\_\_\_\_  
Bruce H. Morris  
Georgia Bar No. 523575

Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

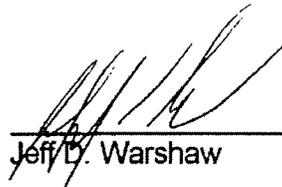
BY:   
\_\_\_\_\_  
Jeff D. Warsaw  
Georgia Bar No. 738742

**CERTIFICATE OF SERVICE**

I hereby certify that I have today served a copy of the within and foregoing  
PRELIMINARY MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED AND BRIEF  
IN SUPPORT upon counsel for all parties to the action by mailing a true and correct copy  
through the United States mail with sufficient postage affixed thereon.

Tom Wooward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

This 3<sup>rd</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw

IN THE SUPERIOR OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

INDICTMENT NO.

99R-0564

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
•00 MRR 6 PM 1 00  
W.A. BALLARD, CLERK

**MOTION IN LIMINE AND BRIEF IN SUPPORT**

COMES NOW, Defendant, JED LAW BRETTSCHEIDER, by and through his undersigned counsel, and respectfully moves this Honorable Court for an order instructing the prosecution to refrain from making any direct or indirect reference whatsoever by counsel or through a witness, to the specified evidence or testimony listed below, for the reasons urged herein as follows:

1.

Upon information and belief, the State may try to introduce evidence of "prior crimes or acts" as evidence before the jury. Defendant respectfully shows that such evidence is immaterial and unnecessary to the disposition of this case and contrary to the rules of evidence to permit such evidence or inference, and would be highly prejudicial to this Defendant. The admission of such evidence would create in the minds of the jury an unfounded presumption of guilt.

2.

The Defendant avers that the prosecution could not meet the test set out in Hamilton v. State, 239 Ga. 72, 72, 235 S.E.2d 515 (1977), which states:

Before evidence of independent crimes is admissible, two conditions must be satisfied. First, there must be evidence that the defendant was in fact the perpetrator of the independent crime. Second, there must be sufficient similarity or connection between the independent crime and the offense charged, that proof of the former tends to prove the later...

3.

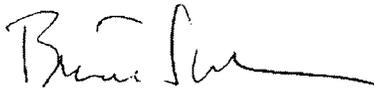
Prior to the introduction of evidence of alleged bad acts or other crimes of this Defendant, this Court should hear evidence as to a proper foundation for relevance and admissibility of said evidence outside the presence of the jury. In this way, should the Court hold such evidence inadmissible, the jury will not have been prejudiced by its introduction. An ordinary objection during the course of the trial, even if sustained, would not remove the prejudicial effect from the jury of the introduction of such evidence.

WHEREFORE, Defendant respectfully prays that this court, prior to trial, instruct the prosecution, and any and all witnesses called on behalf of the prosecution, to refrain from any mention of alleged bad acts or other crimes of this Defendant without first making an offer or

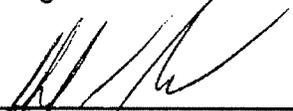
showing to the Court outside the presence of the jury.

Respectfully submitted,

FINESTONE & MORRIS  
Attorneys for Defendant

BY:   
Bruce H. Morris  
Georgia Bar No. 523575

Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

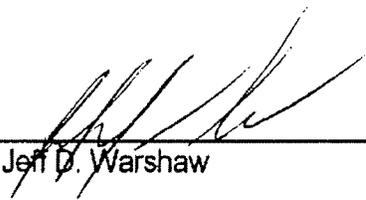
BY:   
Jeff D. Warshaw  
Georgia Bar No. 523575

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION IN LIMINE AND BRIEF IN SUPPORT" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

This 3<sup>d</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw

IN THE SUPERIOR OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

.....

INDICTMENT NO.

99R-0564

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
00 MAR 6 PM 1 00  
W.A. BALLARD, CLERK

**MOTION FOR DISCLOSURE OF INFORMANTS AND  
BRIEF IN SUPPORT THEREOF**

COMES NOW, Defendant, JED LAW BRETTSCHEIDER, by and through his undersigned counsel, and respectfully moves this Court for an Order compelling the Government to disclose the name, address, and present whereabouts of any participating informant relative to this investigation, and in support thereof shows the Court the following:

1.

Upon information and belief, the Government has received information related to the investigation of this case from a confidential informant or informants.

2.

Upon information and belief, said informant(s) is(are) participating informants within the meaning of Roviaro v. United States, 353 U.S. 53 (1957).

3.

It is absolutely necessary for Defendant to interview any such witness prior to trial in the above-captioned matter in order to insure the Defendant effective assistance of counsel.

4.

No danger or risk of harm would be posed by granting of this request.

5.

In support of this motion, Defendant relies upon the cases of Brady v. Maryland, 373 U.S. 83 (1963) and Roviaro v. United States, *supra*. In Roviaro, the Supreme Court held that it was a fundamental requirement of fairness that the name of an informant be disclosed where his testimony was relevant and helpful to the defense or where such testimony was essential to a fair determination of the issue. See also, McAllister v. Brown, 555 F.2d 1277 (5th Cir. 1977).

WHEREFORE, Defendant respectfully prays that this Court issue an Order requiring the Government to disclose the name, address, and present whereabouts of any participating informants who have provided information relative to the investigation of this

case and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

FINESTONE & MORRIS  
Attorneys for Defendant

By:   
\_\_\_\_\_  
Bruce H. Morris  
Georgia Bar No. 523575

By:   
\_\_\_\_\_  
Jeff D. Warshaw  
Georgia Bar No. 738742

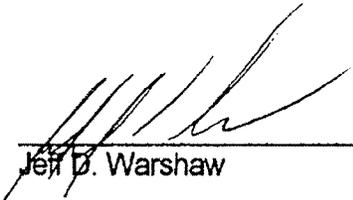
\_\_\_\_\_  
Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION FOR DISCLOSURE OF INFORMANTS AND BRIEF IN SUPPORT THEREOF" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

This 3<sup>d</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw

IN THE SUPERIOR OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

INDICTMENT NO.

99R-0564

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
00 MAR 6 PM 1 01  
W.A. BALLARD, CLERK

MOTION TO PRESERVE EVIDENCE

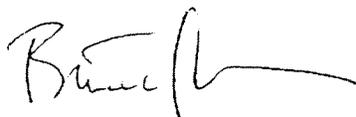
Comes now, Defendant, JED LAW BRETTSCHEIDER, by and through his undersigned counsel, and respectfully moves this Court to order the prosecution and all law enforcement agencies involved in the investigation of this case to preserve and keep intact any investigative reports (including rough drafts), witness statements, documents, papers, rough notes (interview, surveillance, or otherwise) tapes, objects, contraband, controlled substances, or other physical evidence which is in their possession, custody, or control, or through the exercise of due diligence could be so possessed or controlled.

WHEREFORE, the Defendant prays that the Court order the relief requested herein.

Respectfully submitted,

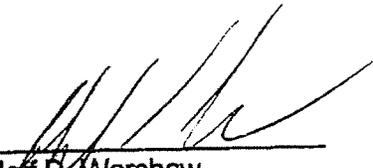
FINESTONE & MORRIS  
Attorneys for Defendant

BY:



Bruce H. Morris  
Georgia Bar No. 523575

BY: \_\_\_\_\_

  
Jeff D. Warshaw

Georgia Bar No. 738742

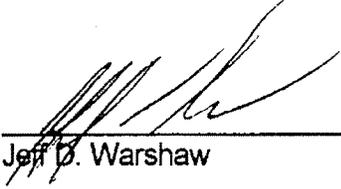
Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION TO PRESERVE EVIDENCE" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

This 3<sup>d</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw

IN THE SUPERIOR COURT OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

.....

INDICTMENT NO.

99R-0564

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
W.A. BALLARD, CLERK  
00 MAR 6 PM 1 01

**MOTION FOR INDEPENDENT ANALYSIS AND BRIEF IN SUPPORT**

COMES NOW, Defendant, JED LAW BRETTSCHEIDER, by and through his undersigned counsel, and respectfully moves this Court for an Order permitting an expert of the Defendant's own choosing to inspect and analyze the alleged fingerprint evidence obtained in this case, for the reasons urged herein as follows:

1.

Defendant is charged in this Indictment with possession of marijuana. This Defendant requests the opportunity to have an expert of his choosing analyze the controlled substance evidence for a sufficient time and for the conducting of testing and analysis independent of the analysis provided to the State.

2.

Defendant further requests the opportunity to have an expert of his own choosing inspect and analyze the originals of any fingerprints taken from the Defendant and any latent prints used for comparison purposes in connection with this case.

3.

Defendant further requests that any other "scientific" evidence to be sued by the prosecution be allowed to be subjected to examination by an expert of the Defendant's own choosing.

4.

Should the Court desire, Defendant offers to prove the qualifications of his expert upon reasonable notice by the prosecution that it demands such proof.

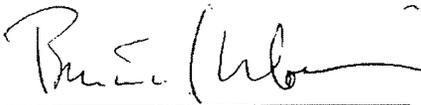
5.

While a timely motion for an independent analysis is made, a defendant may have an expert of his own choosing independently analyze and examine evidence. See, Patterson v. State, 238 Ga. 204, 206 (1977); Gilliand v. State, 142 Ga. App. 374 (1977).

WHEREFORE, Defendant respectfully prays that this Court issue an Order permitting an expert of the Defendant's own choosing to independently analyze any and all fingerprint evidence and other "scientific" evidence to be used by the prosecution in this case.

Respectfully submitted,

FINESTONE & MORRIS  
Attorneys for Defendant

By: 

Bruce H. Morris  
Georgia Bar No. 523575

By: \_\_\_\_\_

Jeff D. Warsaw

Georgia Bar No. 738742

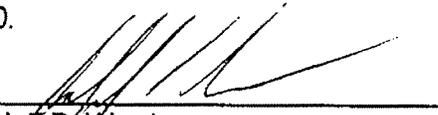
Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION FOR INDEPENDENT ANALYSIS AND BRIEF IN SUPPORT" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

This 3<sup>d</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw

IN THE SUPERIOR OF FAYETTE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

JED LAW BRETTSCHEIDER,

Defendant.

INDICTMENT NO.

99R-0564

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.  
•00 MAR 6 PM 1 01  
W.A. BALLARD, CLERK

**MOTION RESERVING THE RIGHT TO FILE ADDITIONAL MOTIONS**

COMES NOW the Defendant, JED LAW BRETTSCHEIDER, by and through Counsel and requests an Order of this Court reserving his right to file additional motions as the future progression of this case may merit. As grounds for this Motion, Defendant shows the Court as follows:

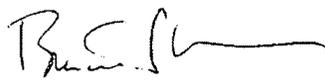
1. Informal discovery is on-going and incomplete. The problem of availability as well as the propriety of revealing certain information in the possession of the Government may arise, upon which Defendant may be compelled to file additional Motions with this Court.

2. The complexity of the instant case against Defendant may compel continuing analysis of materials discovered and the process of discovery may well lead to additional substantive motions.

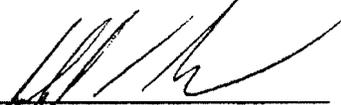
WHEREFORE, Defendant prays that the court grant this Motion and Order that Defendant has reserved his right to file additional motions prior to the time of the trial in this case.

Respectfully submitted,

FINESTONE & MORRIS  
Attorneys for Defendant

By:   
\_\_\_\_\_

Bruce H. Morris  
Georgia Bar No. 523575

By:   
\_\_\_\_\_

Jeff D. Warshaw  
Georgia Bar No. 738742

Suite 2540 Tower Place  
3340 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 262-2500

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION RESERVING THE RIGHT TO FILE ADDITIONAL MOTIONS" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Tom Woodward, Esquire  
Assistant District Attorney  
Griffin Judicial Circuit  
P.O. Box 1498  
Fayetteville, Georgia 30214

This 3<sup>d</sup> day of March, 2000.

  
\_\_\_\_\_  
Jeff D. Warshaw



STATE BOARD OF PARDONS AND PAROLES  
Atlanta, Georgia

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA.

ORDER OF COMMUTATION

'05 MAY 23 AM 10 35

SHEILA STUDDARD, CLERK

WHEREAS, Jed Brettschnieder, Serial Number EF-455117 has been convicted of the following offenses:

OFFENSE	COURT OF CONVICTION	SENTENCE BEGIN DATE	SENTENCE
Violation of Georgia Controlled Substance Act: Possession of Marijuana (99R0564)	Fayette Superior	9/25/2000	10 years, serve 7 years, balance probated (c/f 10/6/99)

UPON review of this case, it is the finding of the Board that the best interests of justice will be served by commuting the prison portion of said sentence(s) to time served; now

THEREFORE: Under the authority vested in the State Board of Pardons and Paroles, it is

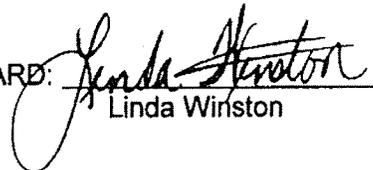
HEREBY ORDERED: That the prison portion of the above-described sentence(s) be and the same is/are commuted to time served. (This order does not affect any probated sentences).

It is directed that copies of this order be furnished to the Clerk(s) of Court in the county of conviction, and to the above named individual.

GIVEN UNDER THE HAND AND SEAL of the State Board of Pardons and Paroles, this the 19th day of May, 2005.

STATE BOARD OF PARDONS AND PAROLES

FOR THE BOARD:

  
Linda Winston

(SEAL)

**STATE BOARD OF PARDONS AND PAROLES**

2 MARTIN LUTHER KING JR., DRIVE, S.E.  
BALCONY LEVEL, EAST TOWER  
ATLANTA, GEORGIA 30334-4909  
(404) 656-5651

Bobby K. Whitworth  
Member  
Garfield Hammonds, Jr.  
Member  
Dr. Betty Ann Cook  
Member  
Dr. Eugene Walker  
Member

Walter S. Ray  
Chairman

CLERK OF COURT  
FAYETTE COUNTY  
P.O. BOX 130  
FAYETTVILLE, GA 30214-0130

**NOTICE OF FINAL DECISION TO PAROLE**

As provided by O.C.G.A. 42-9-47, this is to notify you that the Board has made a final decision to parole:

NAME: JED LAW BRETTSCHNIEDER-EF 455117

EFFECTIVE DATE OF PAROLE: OCTOBER 23, 2001

99R-0564

COUNTY AND DATE OF CONVICTION: FAYETTE-9/25/00

CONTROLLING OFFENSE AND SENTENCE: VIOLATION GEORGIA CONTROLLED SUBSTANCE ACT (POSSESSION OF MARIJUANA)(99R0564); 10YRS. SV. 7YRS. BAL. PROB.

COUNTY OF RESIDENCE ON PAROLE: MASSACHUSETTS

TRANSMITTAL DATE: OCTOBER 11, 2001

JUDGE: THE HONORABLE JOHNNIE L. CALDWELL, JR.

DISTRICT ATTORNEY: THE HONORABLE WILLIAM T. MCBROOM

SHERIFF: FAYETTE COUNTY

CHIEF OF POLICE:

COUNTY POLICE DEPARTMENT:

CLERK OF COURT: FAYETTE COUNTY

SPECIAL CONDITIONS:

CLERK OF SUPERIOR COURT  
FAYETTE COUNTY, GA  
01 OCT 18 PM 12:47  
CYNTHIA STUBBARD, CLERK

# PAROLE CERTIFICATE



STATE BOARD  
OF  
PARDONS AND PAROLES  
ATLANTA, GEORGIA

**KNOW ALL MEN BY THESE PRESENTS:**

It having been made to appear to the Georgia State Board of Pardons and Paroles that there is reasonable probability that the inmate named below **WILL REMAIN AT LIBERTY WITHOUT VIOLATING THE LAWS**, and it being the opinion of said Board that the release of this inmate is not incompatible with the welfare of society, and it appearing further that the Board is satisfied that this inmate will be suitably employed in self-sustaining employment or will not become a public charge on release.

Under the authority vested in the State Board of Pardons and Paroles by the Laws of Georgia, it is hereby **ORDERED** that the inmate named below be paroled, pending good behavior under supervision, subject to the conditions of parole listed here and on the reverse side of this Order until the expiration of the confinement sentence(s).

**BE IT FURTHER KNOWN** that this parole will become effective only after the conditions of parole are agreed to by the inmate. Noncompliance with any condition may result in revocation of parole in accordance with Georgia Law.

**NOT VALID WITHOUT BOARD SEAL**

In witness whereof this Certificate bearing the Seal of the State Board of Pardons and Paroles is issued.

STATE BOARD OF PARDONS AND PAROLES

*S.C. Goolsby*  
\_\_\_\_\_  
For the Board

**ORDER NUMBER:** 170864

**INMATE:** Jed Law Brettschnieder-EF 455117

**OFFENSE(S) AND COURT(S):** Violation Georgia Controlled Substance Act (Possession of Marijuana)(99R0564); Fayette Superior

**EFFECTIVE PAROLE DATE:** October 23, 2001

**EXPIRATION DATE:** October 4, 2006

**ISSUE DATE:** October 9, 2001

**PAROLE OFFICER:** Report in person immediately upon arrival to PO Decca Wingard, 188 Concord Street, 2nd Floor, Framingham, Massachusetts 01702, telephone #(508) 879-4529.

**RESIDENCE PLAN:** with sister, Sarah Brettschnieder, 69 Nourse Street, Westborough, Massachusetts

**EMPLOYMENT PLAN:** To be arranged

**SPECIAL CONDITIONS:**

**STANDARD CONDITIONS UNDER WHICH THIS PAROLE IS GRANTED.**

**THIS CERTIFICATE OF PAROLE WILL BECOME EFFECTIVE ONLY AFTER THE FOLLOWING STANDARD CONDITIONS AND ANY SPECIAL CONDITIONS ON THE FRONT SIDE ARE AGREED TO BY THE INMATE. VIOLATION OF ANY CONDITION MAY RESULT IN IMMEDIATE ARREST FOLLOWED BY PAROLE REVOCATION.**

- 1. INSTRUCTIONS:** I will promptly and truthfully answer all questions from my Parole Officer or any other employee of the State Board of Pardons and Paroles and carry out all written or verbal instructions from them. I understand that, as a part of my supervision, my Parole Officer or any other parole officer may, at any time conduct a warrantless search of my person, papers, place of residence, automobile or any other property under my control. I will maintain gainful employment or, upon the directive of my Parole Officer, pursue a general education diploma (GED), high school diploma, or vocational/technical school trade.
- 2. LAW AND IMMEDIATE NOTIFICATION:** I will not violate the law of any governmental unit. I will immediately notify my Parole Officer if I am arrested for any offense, including a traffic offense.
- 3. WEAPON:** I will not receive, possess, transport, have under my control, attempt to purchase or obtain transfer of any firearms, ammunition, explosives or other deadly weapon.
- 4. LEAVING STATE AND ABSCONDING:** I will not leave my State of residence, even briefly, or change my residence without first getting permission from my Parole Officer. I will not abscond from parole supervision.
- 5. SUPERVISION FEE AND RESTITUTION:** In accordance with instructions issued to me by my Parole Officer, I will pay a supervision fee, and begin payment of any restitution.
- 6. CHILD SUPPORT:** I will support all my children as required by Georgia law. I will make all child support payments on time. I will pay any past due child support to the best of my ability. I know I will be returned to prison for any failure to pay child support while on Parole.

**ACKNOWLEDGMENT AND CERTIFICATION**

I have read or have had read to me the above standard parole conditions and any special conditions on the front side of this certificate, and I fully understand them and agree to comply with them. I hereby waive all extradition rights and process and agree to return to Georgia from any State or Territory of the United States or from the District of Columbia. If it becomes necessary to communicate with my Parole Officer when the Officer is not available, I will contact another Parole Officer in the same office or will contact the Georgia Interstate Compact Unit at Fourth Floor, East Tower, Floyd Veterans Memorial Building, 2 Martin Luther King, Jr., Drive, S.E., Atlanta, Georgia 30334. Telephone number (404) 656-5747.

**WITHIN 24 HOURS OF MY RELEASE I WILL REPORT TO MY PAROLE OFFICER, EITHER BY PERSONAL VISIT OR BY TELEPHONE.**

---

PAROLEE

DATE

I hereby certify that this Statement of Conditions has been read and explained to the Parolee and he/she has agreed to them.

---

INSTITUTIONAL OFFICIAL

DATE