

IN THE SUPERIOR COURT OF GLYNN COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,)	
)	Warrant Nos. _____
v.)	
)	Murder; Criminal Attempt to Commit False
WILLIAM RODERICK BRYAN,)	Imprisonment
Defendant.)	

DEFENDANT'S CONSOLIDATED RESPONSE TO MOTIONS TO QUASH NOTICE TO PRODUCE

COMES NOW Defendant William Roderick Bryan, by and through undersigned counsel, and files this his "Defendant's Consolidated Response to State's Motion to Quash Notice to Produce." Defendant shows as follows:

1. The Cobb County District Attorney's office (hereinafter "CCDA") lacks standing to file a motion to quash a notice to produce directed to the Glynn County Police Department, as they are represented by the county attorney for Glynn County. The motion is especially inappropriate here since the Attorney General of Georgia, CCDA, GBI and FBI are investigating the Glynn County Police Department with respect to related matters and, therefore, there is a clear conflict of interest in CCDA attempting to do so. CCDA somehow overlooks the fact the statutory notice to produce is expressly made available in criminal cases in lieu of the constitutionally guaranteed subpoena power.

2. As with subpoenas, individuals and entities including the Glynn County Police Department are free to honor requests for production of documents and evidence whether or not grounds exist to quash same. CCDA's attempt to obstruct, intimidate and otherwise interfere with the decision of Glynn County Police Department is grossly improper.

2. CCDA's arguments as to the applicability of O.C.G.A. 24-13-27 to criminal cases is specious and frivolous, said arguments being indistinguishable from those squarely rejected by our Supreme Court in in Brown v. State, 240 Ga. 866 (1978). The legislature declined to legislatively abrogate that decision in 2013, when title 24 was extensively revised and renumbered.

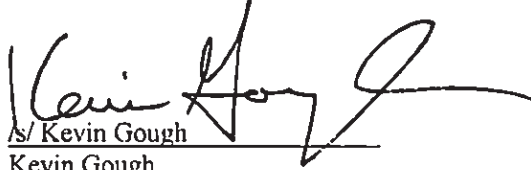
3. As is evident from the filing of the motion to quash, CCDA has been served with a copy of all notices to produce.

FILED
 CLERK'S OFFICE
 2020 JUN 1 A 11:40
 Russell M. Adams
 CLERK SUPERIOR COURT

4. CCDA's categorical position that the criminal discovery statutes preclude the application of O.C.G.A., § 24-13-27 has never been accepted by the Supreme Court of Georgia, and is contrary to the due process rights of defendant which include the use of compulsory process for the production of evidence at criminal proceedings.

5. Defendant will be incorporating the notices to produce into actual subpoenas for hearings and trial, so it is respectfully submitted that the Court should reserve ruling upon the motion so that the issues are addressed once, and in proper context.

So moved, this 1st day of June, 2020.

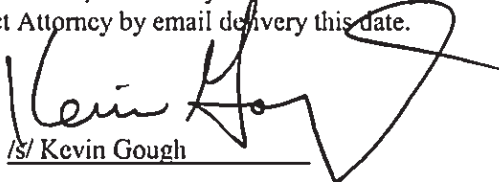

/s/ Kevin Gough
Kevin Gough
ATTORNEY FOR DEFENDANT
Georgia Bar No. 303210

Kevin Gough Firm, LLC
501 Gloucester Street, Suite 121
Post Office Box 898
Brunswick, GA 31521
(912) 242-5114
kevingough.firm@gmail.com

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.

This 1st day of June, 2020.


/s/ Kevin Gough

Kevin Gough Firm, LLC
501 Gloucester Street, Suite 121
Post Office Box 898
Brunswick, GA 31521
(912) 242-5114
kevingough.firm@gmail.com