

IN THE SUPERIOR COURT OF GLYNN COUNTY

STATE OF GEORGIA

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

FOURTH PARTICULARIZED MOTION FOR DISCLOSURE OF BRADY MATERIAL, AND FOR OTHER RELIEF, AND MEMORANDUM IN SUPPORT THEREOF.

COMES NOW Defendant William Roderick "Roddie" Bryan, by and through undersigned counsel, pursuant to the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution, Article I, Section I, Paragraphs 1,2,11,12,14,16, and 17 of the Constitution of the State of Georgia; Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.E.2d 215 (1963); Williams v. State, 250 Ga. 463, 298 S.E.2d 492 (1983), and this court's inherent power to compel discovery, see Hightower v. State, 259 Ga. 770, 386 S.E.2d 509 (1989), and files this his Second Particularized Motion for Discovery of Brady Material, and For Other Relief, and Memorandum of Law In Support Thereof Defendant shows as follows:

1. William Roderick "Roddie" Bryan, is incarcerated without bond at the Glynn County Detention Center.
2. Bryan has demanded a speedy trial.
3. Defendant seeks immediate disclosure of any documents, information, facts or other circumstances (including any of such that are intangible but digitally stored) that are exculpatory or might reasonably lead to the discovery of the following exculpatory information:

FILED
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 2020 JUN -3 3 04
Ronald M. Atkins
 CLERK SUPERIOR COURT

A. Any reason to believe S. Lee Merritt, Benjamin Crump, or other attorneys or other representatives of the family of Ahmaud Arbery, acting with or without the knowledge of the family, whether directly or through third parties, exercised improper influence over the removal of Liberty County District Attorney Tom Durden as the prosecutor and/or undue influence over the selection of his replacement, Cobb County District Attorney Joyette Holmes.

B. Any reason to believe S. Lee Merritt, Benjamin Crump, or other attorneys or other representatives of the family of Ahmaud Arbery, acting with or without the knowledge of the family, whether directly or through third parties, privately or publicly sought and/or received improper assurances with respect to the “zealous” prosecution of Mr. Bryan and/or others allegedly involved in the tragic shooting death of Ahmaud Arbery.

4. Undersigned counsel notes, in support of this motion, that the Arbery attorneys publicly questioned the fairness of Liberty County District Attorney Tom Durden in the days leading up to his withdrawal from the prosecution of this case without ever offering any actual reason why. On May 6, 2020, on his facebook page, attorney S. Lee Merritt posted that they wanted to get “the right prosecutors involved” in this case: the clear implication being that only a black prosecutor would be acceptable to the Arbery family. On May 11, 2020, S. Lee Merritt posted on Twitter: **“Another huge WIN for #Justicefor Ahmaud! At the family’s demand – a special prosecutor [Joyette Holmes] will replace Tom Durden.”** On May 22, 2020, attorney Benjamin Crump, accompanied by S. Lee Merritt on CNN with Don Lemon, stated that Joyette Holmes promised that she would “zealously prosecute this matter.” This statement is consistent with statements attributed to Attorney Crump and others in statements to Georgia

Public Broadcasting and other media outlets. These statements strongly suggest that the “official” version of how Joyette Holmes replaced Tom Durden as the prosecutor are false and that the Arbery family attorneys exercised influence over the selection of the prosecution and secured assurances from Joyette Holmes that are fundamentally at odds with the rights of Mr. Bryan.

5. Defendant has added these notes so as to further inform the State of Georgia in a more concrete way with respect to the kinds of information, documents and evidence sought by this motion.

6. Undersigned counsel has filed this motion as part of his due diligence in assuring that Mr. Bryan generally receives the due process to which he is entitled and specifically that he receives a fair trial prosecuted by a neutral, detached and impartial prosecutor.

WHEREFORE, Defendant prays that the State be compelled to disclose the information requested above immediately, and in any event prior to bail and preliminary hearings, motions hearings, and trial.

So moved, this 3rd day of June, 2020.



/s/ Kevin Gough

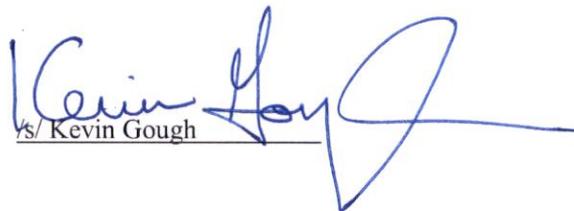
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CERTIFICATE OF SERVICE

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 3rd day of June, 2020.


s/ Kevin Gough