

*Randall 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.	)	

**MOTION FOR DISCLOSURE OF INFORMATION  
NECESSARY FOR DEFENDANT TO RECEIVE A FAIR TRIAL,  
MOTION FOR PRODUCTION, AND FOR OTHER RELIEF**

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), this court's inherent power to compel discovery, see Hightower v. State, 259 Ga. 770, 386 S.E.2d 509 (1989), and other applicable law, and files this his "Motion for Disclosure of Information Necessary for Defendant to Receive a Fair Trial, Motion For Production, and for Other Relief," and moves this Court to require the State of Georgia (including the "prosecution team"), to immediately and on a continuing basis reveal and disclose, and to produce and have at trial and at any and all non-jury hearings in this case, any information which is exculpatory or favorable to the defense or is likely to lead to evidence that is exculpatory or favorable, including but not limited to the information and/or documents, pictures, and articles set forth below.

In support of said motion, Defendant submits that the information and/or documents, pictures and articles set forth below are in the possession of the prosecution or are available to the prosecution and are favorable or arguably favorable to the Defendant as to the issue of

innocence and punishment; that all of said information, and/or documents, pictures and articles are relevant, significant and constitute substantial material evidence and will be useful to the named Defendant as evidence upon his trial; that the named Defendant cannot safely go to trial in the above-styled criminal action without the disclosure and production of same; that denial of disclosure and production of same will deprive Defendant of his constitutional rights to due process of law and (effective) assistance of counsel.

Accordingly, Defendant moves for disclosure and production of the following:

1. Copies of all reports and memoranda connected with the said charges against the named Defendant.
2. All written statements of witnesses in the possession of the prosecutor relating to the charges against the named Defendant in the above-styled criminal action, as well as all statements relating to any other Defendants named in the above-styled criminal action.
3. Names, addresses and telephone numbers and whereabouts of all witnesses to be called by the State in the trial of the named Defendant and any other Defendants named in the above-styled criminal action.
4. Statements of all persons including memoranda, summaries or recordings of such statements of any person, made to any law enforcement officer or the investigative staff of any prosecutor in any way connected with the case.
5. All memoranda, documents and reports of all law enforcement officers connected with subject matter of the criminal action referred to above as well as the same of the investigative staff of all prosecutors.
6. Results of all reports of any scientific tests or experiments or studies made in connection with the above styled case and all copies of such reports.

7. All fingerprint documents and reports related to the crimes alleged to have been committed by the Defendant.

8. Names and addresses of all persons who may have some knowledge of facts of the present case in addition to names and addresses given to the attorney for the named Defendant.

9. Full names and addresses of all informers and other persons who gave information which served as a basis for the affidavits for any search warrants.

10. The full names and addresses of all persons who have given information to the prosecuting attorney or law enforcement officers relating to the arrest of the Defendant and the charges against him.

11. All reports, documents, letters and memoranda which were a basis of affidavits for any search warrants.

12. The criminal records and any list or summary reflecting criminal records of all persons whom the State intends to call as a witness in the trial of the named Defendant.

13. All written and recorded statements and all summaries or memoranda of any oral or written statements made by the named Defendant and all other Defendants named in the above-styled criminal action.

14. All records of the prosecutor showing and tending to show how the persons named on the jury panels sent to the courtroom from the trial of this Defendant have voted in the past on criminal and civil cases.

15. All diagrams, sketches and pictures which have been made by or shown to any witness or prospective witness in the above-styled case.

16. The transcript, minutes and record of any Grand Jury proceeding in connection with the above-styled criminal action.

17. A detailed description of all physical items other than documents and pictures which the prosecutor anticipates using in the trial of the named Defendant and the exact place where and under whose custody such items are being held.

WHEREFORE, the named Defendant prays:

(a) That the State of Georgia be required to produce all documents and other evidence referred to above;

(b) That defense counsel be permitted to read, inspect and/or examine same, and make copies or other suitable reproductions thereof;

(c) Without waiving his right to have his counsel examine said documents, pictures and articles, if the Court does not permit this to be done, that the Court conduct an in camera examination of said documents, pictures and articles, and his counsel be permitted to see and copy or reproduce any of said documents, pictures and articles which the Court determines to be favorable to the named Defendant as to the question of guilt or punishment or for the purpose of impeaching any of the witnesses to be called by the State in the trial of the named Defendant.

(d) That if any part of said documentary evidence is not made available to the named Defendant prior to the commencement of his trial, then without waiving his right to the production of said evidence prior to his trial, he respectfully moves the Court for an order directing the prosecution to produce all such documents and evidence and to submit the same to his counsel at the close of the State's evidence.

(e) Without waiving the foregoing, the Defendant requests that a copy of the prosecutor's file be filed, that the court examine the copy and compare same to the original, that the court certify that the copy is an exact copy of the original, and that the copy of the

prosecutor's file be sealed and included in the record of this case for the purpose of insuring effective appellate and/or collateral review of the prosecution's compliance with Brady, and with the orders of this court pertaining to discovery.

(f) That the duty of the State to disclose pursuant to this motion be considered as continuing up until and through the trial and post judgment proceedings.

So noted, this 16<sup>th</sup> day of July, 2020.

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

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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 16<sup>th</sup> day of July, 2020.

/s/ Kevin Gough

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