

Randall M Adams
CLERK SUPERIOR COURT

**IN THE SUPERIOR COURT OF GLYNN COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA,)
)
)
) **INDICTMENT NO.**
v.) **CR2000433**
)
TRAVIS MCMICHAEL and)
GREG MCMICHAEL,)
Defendants.)

1.3

UNOPPOSED MOTION TO MODIFY PRETRIAL SCHEDULING ORDER

The Defendants, Travis and Greg McMichael, by and through undersigned counsel, respectfully move to modify the Pretrial Scheduling Order as described below.

The Pretrial Scheduling Order signed and filed by the Court on July 17, 2020 sets forth the schedule and manner with which the above case will proceed. Section A.1. requires that the Defendants opt in to reciprocal discovery by July 31, 2020, and the above-named Defendants can report to the Court that that has been completed.


Section B.1. requires all demurrers and claims of immunity to be filed by July 27, 2020, ten days after arraignment. The Defendants are asking for an additional ten days in which to file their demurrers and claims of immunity.

Defense counsel for the McMichaels received the first batch of the State's discovery on July 23, 2020. The first batch contains 223 GB of material, including thousands of pages and hours of audio and video recordings, all of which have to be reviewed by defense counsel and reviewed by the McMichaels. The State has informed undersigned counsel that the second batch of discovery containing the GBI investigation will not be provided until approximately July 31, 2020 – after the deadline for filing demurrers and claims of immunity. Moreover, in reviewing the first batch, it is apparent that defense counsel cannot open some of the material without obtaining from the State the password needed to open the Cellbrite Reader or downloading the applicable software from the internet. Thus, defense counsel's ability to review the entire 223 GB of discovery will be delayed until they can access the material.

Defense counsel is currently working on demurrers, but given the fact that the indictment contains nine counts, not all of the demurrers can be filed by July 27th and additional time is needed. Further, defense counsel cannot adequately evaluate a claim of immunity without reviewing the discovery. However, with an additional ten days, defense counsel for the McMichaels should be able to comply with the Court's scheduling order.

Defense counsel has conferred with the State, and is authorized to state that the State does not object to a continuance of ten days in which to file demurrers and claims of immunity.

This 23rd day of July, 2020.




ROBERT G. RUBIN
Georgia Bar No. 618635
Attorney for Travis McMichael

 WEP RGR

JASON B. SHEFFIELD
Georgia Bar No. 639719
Attorney for Travis McMichael

PETERS, RUBIN, SHEFFIELD, & HODGES, P.A.

2786 North Decatur Road, Suite 245
Decatur, Georgia 30033
(404) 296-5300

 WEP RGR

FRANKLIN J. HOGUE
Attorney for Greg McMichael
State Bar No. 360030

 WEP RGR

LAURA D. HOGUE
Attorney for Greg McMichael
State Bar No. 786090

HOGUE, HOGUE, FITZGERALD, & GRIFFIN, LLP

341 Third Street
P.O. Box 1795
Macon, GA 31202-1795
478.750.8040

CERTIFICATE OF SERVICE

This is to certify that I have this date served the within and foregoing UNOPPOSED MOTION TO MODIFY PRETRIAL SCHEDULING ORDER upon the parties to this matter by United States Mail and email addressed to:

Jesse Evans
Cobb County District Attorney's Office
70 Haynes Street
Marietta, Georgia 30090
Jesse.evans@cobbcounty.org

Linda Dunikoski
Cobb County District Attorney's Office
70 Haynes Street
Marietta, Georgia 30090
Linda.duniki@cobbcounty.org

Kevin Gough
Attorney for William R. Bryan
501 Gloucester Street, Suite 121
P.O. Box 898
Brunswick, Georgia 31521
Kevingough.firm@gmail.com

This 23rd day of July, 2020.

Respectfully submitted,



Robert G. Rubin
Georgia Bar No.618635