

*Randall M Adams*  
CLERK SUPERIOR COURT

IN THE SUPERIOR COURT OF GLYNN COUNTY

STATE OF GEORGIA

STATE OF GEORGIA \*  
\*  
V. \* Indictment:  
\* CR 2000433  
\*  
TRAVIS MCMICHAEL \*  
GREG MCMICHAEL \*

**1.10**

**STATE'S RESPONSE TO DEFENDANTS MOTION IN LIMINE**  
**RE: PROPOSED STATE BOND HEARING EXHIBITS**

The State anticipates tendering the evidence listed<sup>1</sup> to demonstrate the mindset of the defendants in regard to perceived crime in their neighborhood and who they believed the perpetrator(s) to be, prior to and during the murder, which does assist the Court in determining the defendants current and future mindset, and thus future dangerousness.

While the defense minimizes these communications as private messages or general comments on the Satilla Shores neighborhood Facebook, that does not lessen the fact that they exist and illustrate the mindset of the defendants. That mindset consisted of the notion that there was “ongoing dangerous crime within their own neighborhood.” It is also an indication of profiling of the person or persons they believed were responsible.

The evidence can not be viewed in isolation. (See the DOJ Press Release.) This evidence must be viewed in the context of the entire chain of events, especially the defendants’ actions in taking the life of someone they suspected had only trespassed at a vacant and open house under construction days before they saw him out jogging in broad daylight. If they took such egregious action in the face of a suspected trespasser, then one must ask, what action would they take in the future,

---

<sup>1</sup> One text conversation; five Facebook posts and two videos shared with the McMichaels.

given their mindset about crime and who they automatically suspect are the perpetrators.

The defendants themselves have made this a public issue via their defense attorneys making public statements regarding this very issue in an Atlanta-Journal-Constitution “Break Down” podcast, Episode #4.<sup>2</sup>

Therefore, the State requests that the evidence be allowed to demonstrate the future dangerousness of the defendant’s due to their mindset about crime and who must be the perpetrators of those crimes.

This the 10th day of November, 2020.

/S/ Jesse Evans  
JESSE EVANS  
State Bar # 252342  
Deputy Chief Assistant District Attorney  
District Attorney Pro Tempore  
Cobb Judicial Circuit

/S/ Linda J. Dunikoski  
Linda J. Dunikoski  
State Bar # 233887  
Senior Assistant District Attorney  
District Attorney Pro Tempore  
Cobb Judicial Circuit

---

<sup>2</sup> <https://www.ajc.com/news/breakdown/breakdown-podcast-ep-4-father-and-son/5VPNFN5GBZFD7O74J6XAO5J7VQ/>

## **CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this day served opposing counsel with a true and correct copy of the above Motion via the Odyssey E-File System to:

Mr. Robert G. Rubin  
Peters Rubin Sheffield & Hodges, PA  
2786 North Decatur Road Suite 245  
Decatur, GA 30033  
robertrubin@justiceingeorgia.com  
jasonsheffieldattorney@gmail.com  
(404) 296-5300

Laura and Frank Hogue  
Hogue & Hogue LLP  
341 Third Street  
PO Box 1795  
Macon, GA 31202-1795  
(478) 750-8040  
laura@hogueandhogue.com  
frank@hogueandhogue.com

This the 10th day of November, 2020.

*/S/ Linda J. Dunikoski*  
Linda J. Dunikoski  
Senior Assistant District Attorney  
State Bar # 233887  
District Attorney Pro Tempore  
Cobb Judicial Circuit  
70 Haynes Street, Marietta, GA 30090  
Tel. (770) 528-3080  
Linda.Dunikoski@CobbCounty.org