

IN THE SUPERIOR COURT OF FORSYTH COUNTY

STATE OF GEORGIA

FORSYTH COUNTY GEORGIA
FILED IN THIS OFFICE

SEP 29 2006

Rouglas Savella
CLERK SUPERIOR COURT

THE STATE OF GEORGIA

Vs.

Indictment #06-CR-0126

JULIA LYNN WOMACK TURNER

COMPLIANCE WITH DISCOVERY BY STATE

COMES NOW THE STATE OF GEORGIA, BY THE DISTRICT ATTORNEY, and notifies defendant of the State's compliance with the requirements of reciprocal discovery provisions of O.C.G.A. 17-16-1, et.seq. as follows:

1. By letter to Mr. Berry, Counsel for defendant, dated March 30, 2006 and filed of record same date, the State made the entire file available for review and photocopying. The same notice was given orally on April 13, 2006 to co-counsel, Attorney Victor Reynolds.
2. A witness list (08-0235-01-01 updated as of 01/23/04), as attached to document "DISCLOSURE – WITNESS LIST" and including 13 additional witnesses, and filed of record on April 26, 2006, was served on counsel for defendant, Mr. Jimmy Berry, by the U.S. Mail on April 27, 2006.
3. By the same method as #2 above, discovery was furnished counsel for defendant of additional documents under title "DISCLOSURE – BY STATE" including GCIC record of defendant and certain statements; again, the State noticed defendant in item #3 of said document that "*All other items will be made available for inspection and copying*".
4. The file in this case consists of the investigation by the GBI, which includes the Cobb County police files from a joint investigation resulting in murder charges in Cobb and Forsyth counties – all of which files were furnished defendant in Cobb County pursuant to provisions of the reciprocal discovery statute. Files furnished included the following numbered documents:

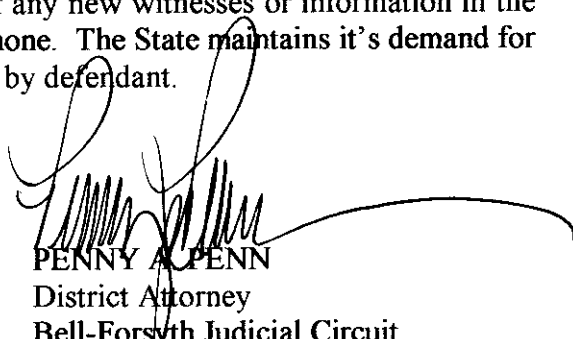
GBI Investigation - pages 000001 – 005842;
Cobb County Inv. - pages 0001 – 1390;
Crime Lab. Documents:
 GBI - C/L 001 – C/L 01382
 NMS - NMS 0001 – NMS 00288

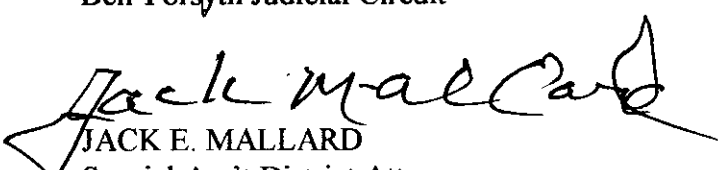
5. Additionally, on May 30, 2006, the State by personal service upon counsel for defendant furnished documents pertaining to interviews of Eugene Carl Walters, Russell P. Sharp and Melinda G. Pullins, and numbered 005733 – 005842.
6. The State will update the witness information as soon as it is complete (which is now in progress).

RECIPROCAL DISCOVERY DEMAND BY STATE

WHEREFORE, the State of Georgia timely filed it's demand for discovery, and a supplemental demand for discovery wherein the State requested ... *disclosure ... at and within 10 days after compliance by the State for the case-in-chief and rebuttal, and otherwise at sentencing phase within the time provided by OCGA 17-16-4(b)...*, which was ruled on by the Court on June 9, 2006, granting the State's request for compliance within ten (10) days ... as to the case-in-chief.

The State has complied with discovery provisions of the statute as shown above. The State has not been notified of any new witnesses or information in the case as of this time, and assumes there is none. The State maintains it's demand for such within 10 days of receipt of the same by defendant.


PENNY A. PENN
District Attorney
Bell-Forsyth Judicial Circuit


JACK E. MALLARD
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within document, entitled: **COMPLIANCE WITH DISCOVERY BY STATE**, upon MR. JIMMY BERRY, Attorney at Law, 236 Washington Avenue, Marietta, GA 30060, counsel for the defendant, by:

personal service; or by

placing a copy in the United States mail in a properly addressed envelope with adequate postage thereon.

This 21 day of September, 2006



JACK E. MALLARD
Special Ass't. District Attorney
Bell-Forsyth Judicial Circuit

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