

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA]
]
 v.]
]
 JAMIE DONNELL HOOD,]
]
 Defendant.]

Case No. SU-11-CR-0464-H

ORIGINAL

HEARING ON DEFENDANT'S MOTION 100

ARRAIGNMENT

The following proceedings were heard before the
Honorable H. PATRICK HAGGARD, Judge of the Superior
Courts of the Western Judicial Circuit, on the 11th day
of January, 2013, in Athens, Georgia.

APPEARANCE OF COUNSEL:

For the State:

KENNETH W. MAULDIN
District Attorney
DAVID T. LOCK
Assistant District Attorney
REBECCA C. FOGAL
Assistant District Attorney
ANTHONY VOLKODAV, JR.
Assistant District Attorney
Western Judicial Circuit
325 East Washington Street
Athens, Georgia 30601

For the Defendant:

NEWELL M. HAMILTON, JR.
APRIL Y. HERBERT
Office of the Georgia Capital
Defender, Southeast Division
11 Judicial Lane, Suite 225
Brunswick, Georgia 31520

Reported by:

Ann E. Evans
Official Court Reporter
Western Judicial Circuit
Certificate No. B-958

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STATE OF GEORGIA

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BEVERLY L. LOCK
CLARKE COUNTY, GEORGIA

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CERTIFICATE OF COMPLIANCE FOR CLARKE COUNTY
GEORGIA JURY COMPOSITION RULE provided to
Counsel and marked as Court's Exhibit 13

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P R O C E E D I N G S

DEPUTY: All rise. Superior Court of Athens-Clarke County now in session with the Honorable H. Patrick Haggard presiding.

THE COURT: Be seated, please. This will be a hearing conducted for the purpose of arraignment, State of Georgia v. Jamie Donnell Hood, SU-11-CR-0464.

Before we start with that, I'm going to ask Mr. Wilson if you'll provide the State and the Defense with a Certificate of Compliance for Clarke County, Georgia Jury Composition Rule, please.

The record will reflect a copy has been provided to the State, to the Defense, and to the court reporter.

Any other matters we need to take up before we begin the arraignment?

MR. HAMILTON: Yes, Your Honor. Your Honor, I have filed it today, but I have provided Your Honor and Mr. Mauldin with a copy of Defense Motion 100 which is Notice of Defendant's Request to Proceed as His Own Co-Counsel, Second Chair, and Lead Counsel's Objection to same.

Your Honor, I think procedurally it would be appropriate to deal with that issue before going into the arraignment. Further, my client has informed me that he wishes to address the Court concerning matters that I believe may deal with his representation.

1 THE COURT: All right.

2 MR. MAULDIN: Judge, if I may.

3 THE COURT: Yes, Mr. Mauldin.

4 MR. MAULDIN: Of course Mr. Hamilton had sent to us by
5 email as well as fax, I think to the Court as well, a copy
6 of that motion. It was filed today, but prior to filing
7 we'd actually filed a response within about an hour or two
8 ago. I think he emailed it to us two days ago, and we
9 prepared a response, a written response, which we have
10 filed as well about an hour or so ago.

11 THE COURT: Okay. What's the --

12 MR. MAULDIN: We took a copy up to the Court's office.

13 THE COURT: And I saw the fax copy. I have not seen
14 the file, but I will look at that. Then I saw the State's
15 response as well. What's the State's position on whether
16 or not that matter needs to be dealt with before we go
17 forward with the arraignment?

18 MR. MAULDIN: That's our feeling, too, Judge. I think
19 we're going to have to address that before we deal with the
20 arraignment.

21 THE COURT: Okay. While we're on the record, I'm
22 going to take note. There's an indictment number on your
23 motion, Mr. Hamilton.

24 MR. HAMILTON: Yes, Your Honor.

25 THE COURT: I don't recognize that as being the case

1 number in this case, but I'll certainly take --

2 MR. HAMILTON: Your Honor, it is incorrect. It is
3 incorrect. I have a copy of it. I will file an amendment
4 to the motion for purposes of the record.

5 THE COURT: Very well.

6 MR. HAMILTON: And I will say for the record that
7 Defense Motion 100 was meant to be filed in the case with
8 the Case Number SU-11-CR-0464-S.

9 THE COURT: All right. Let's take up the -- Do y'all
10 want to be heard on the Motion, then, to act as -- for Mr.
11 Hood to act as second chair?

12 MR. HAMILTON: Well, Your Honor, at the last hearing
13 Mr. Hood apprised the Court of this desire, and we filed
14 the Motion notifying the Court of Mr. Hood's desire. We as
15 his attorneys do not join in this Motion. We would
16 actively oppose it. So the Motion is his. The only reason
17 the Motion that -- we filed it is because we thought it
18 appropriate to make the Court aware of this.

19 In addition, Mr. Hood has advised me several
20 times while we're sitting here that he wishes to address
21 matters dealing with our representation of him that may be
22 outside of this Motion. Perhaps that should be inquired of
23 Mr. Hood if he wants to address his current representation,
24 because this Motion is directed at him coming in as co-
25 counsel, as my second chair, and me remaining on as lead

1 counsel. Basically it addresses his replacement of Ms.
2 Herbert.

3 I would, of course, ask Mr. Hood's comments or
4 what he wishes to advise the Court -- I think that would be
5 appropriate ex parte; however, he has advised me that he
6 objects to that being ex parte, and that he wishes it to be
7 in open court.

8 MR. HAMILTON TO THE DEFENDANT: Have I stated that
9 correctly?

10 THE DEFENDANT: Yeah. I don't want no ex parte. I
11 just want to address the Court. You know, I was looking at
12 the Unified Appeal, and it says, "The Court shall give the
13 Defendant an opportunity to state any objection to defense
14 counsel or the manner in which defense counsel have
15 conducted or are conducting defense." I'd like to speak on
16 that, if I may, sir.

17 THE COURT: Mr. Hood, let me ask you: Have you
18 discussed the subject matter, then, of the hearing
19 regarding representing yourself or being co-counsel? Have
20 you discussed that with Mr. Hamilton?

21 THE DEFENDANT: I've been discussing this for almost
22 two years.

23 THE COURT: Okay.

24 THE DEFENDANT: It ain't nothing new.

25 MR. HAMILTON: Your Honor, we have not addressed the

1 formalities of the process the Court would go through. Mr.
2 Hood is aware that he has a right to representation --
3 self-representation.

4 THE DEFENDANT: Hold on. Let me tell him. Don't talk
5 for me. Let me tell him about me. Judge --

6 MR. MAULDIN: Judge, if I may, I have to object at
7 this point. I think Mr. Hamilton is the counsel at this
8 time.

9 THE DEFENDANT: Uh -- uh -- uh --

10 MR. MAULDIN: If something changes, that'll be fine.
11 We're trying to address the Motion itself. I think we need
12 to address that matter before we get in to anything else.

13 THE DEFENDANT: Judge, I'm following the Unified
14 Appeal here.

15 THE COURT: Let me stop you because -- Here's what --

16 THE DEFENDANT: Yeah, see, this will help with the
17 Motion.

18 THE COURT: Let me stop you.

19 THE DEFENDANT: This will stop all the Motion and
20 everything. This will just help us all out. I'm trying to
21 help us all out.

22 THE COURT: Here's the rule that I have to follow. I
23 have to make a determination if the next step is to be ex
24 parte or not. Okay?

25 THE DEFENDANT: Okay, but the ex parte -- We've been

1 doing that for two years. That's what I want to talk
2 about. Why we got so much to hide? See, that's the
3 problem right now, Judge. You know, this is my case. It's
4 not -- They're not the sole owner of this case.

5 THE COURT: Mr. Hood, let me go through, and if you
6 intend to waive the ex parte, using the ex parte, then I
7 will consider that, but let me ask you a couple of
8 questions about that.

9 Do you have any questions of your attorney about
10 your decision to request to go forward without the use of
11 ex parte? In other words, with the prosecutor being here.

12 THE DEFENDANT: I really want him here. I want him
13 here first and foremost.

14 THE COURT: Okay. Before I rule on that, is there any
15 other thing that you need to discuss with your attorneys
16 about your decision to request that?

17 THE DEFENDANT: No. Again, this is a continuous
18 thing, Judge. You know, I feel like we all know about what
19 I want to say. What I want to do is establish a reference
20 here. See, I want to speak for the record.

21 THE COURT: We're going to go through that if we do.
22 So you don't have any questions about your decision to
23 request anything with this hearing dealing with counsel be
24 held ex parte? That's what you're telling me you want to
25 do?

1 THE DEFENDANT: Yeah, I don't have no question about
2 me having this, you know, ex parte. I don't want ex parte.

3 THE COURT: And you understand Mr. Hamilton --

4 THE DEFENDANT: Yes, sir.

5 THE COURT: -- as your attorney has asked that it be
6 held ex parte.

7 THE DEFENDANT: See, I understand that, but this is my
8 case. It's my right to participate in my case. They're
9 not the sole owner of my case. See, that's what I want to
10 talk about, Judge. They keep running me over. They're
11 using the ex parte. You know, that's -- that's -- We're
12 hiding too much in this case. This whole case is really
13 sad. That's why we're two years behind because of this
14 same ol' mess.

15 THE COURT: I'm going to stop you and tell you that I
16 will rule that we can go forward with that issue without ex
17 parte proceedings. Okay? So with that being said, let me
18 ask you to sit down and speak with Mr. Hamilton about --
19 about the Motion, if there's anything else I need to know
20 other than --

21 THE DEFENDANT: Uh --

22 THE COURT: I'm going to give you -- in a minute --
23 anything else from Mr. Hamilton's position other than what
24 is in his written motion.

25 THE DEFENDANT: Uh --

1 THE COURT: Let me ask Mr. Hamilton first, and then
2 I'll hear from you.

3 MR. HAMILTON: For the record I will object to doing
4 this in open court. I think it should be done ex parte. I
5 think as lead counsel that is within my purvey at this
6 point and not my client's. His rights are not prejudiced
7 by doing it ex parte. They are protected by going ex
8 parte. The consequences of not having this ex parte could
9 be in him revealing attorney/client privilege. It could be
10 in him revealing his defense strategy, and that same --
11 doing it in open court could very well result in the later
12 recusal of the District Attorney's office if they were
13 exposed to that. There are competency issues that are
14 readily apparent here, and I think the Court -- I just want
15 my objection noted for the record that Mr. Hood take up
16 these matters in open court.

17 THE DEFENDANT: Judge, may I object to that?

18 THE COURT: You may in just a moment. I want to hear
19 from Mr. Mauldin.

20 MR. MAULDIN: Judge, I think Your Honor already dealt
21 with the ex parte matter, so I'm going to leave that at
22 that point. Apparently Mr. Hood does want -- not to have
23 any ex parte and to waive any ex parte matter.

24 In regard to this particular Motion we basically
25 filed a response and we'll certainly stand on that

1 response. I think the law is clear from our reading of the
2 cases, unless there's something else out there that we're
3 not aware of, that he has a right to counsel. If he can't
4 afford one, one will be appointed for him, or he has the
5 right to self-representation, but it's not an in between
6 there where he'd have a right to counsel as well as a right
7 to represent himself as counsel, as co-counsel, second
8 chair, or whatever it is they want to say. That's the
9 position we have, and we stand on that position.

10 THE COURT: All right. Now, I have ruled that we'll
11 proceed in open court. Mr. Hood, is there anything you
12 want to say about your Motion? I'm going to give you a
13 chance to say that.

14 THE DEFENDANT: About this second chair motion? Are
15 you talking about what I wanted to speak to the Judge about
16 or this second chair motion?

17 THE COURT: The second chair motion.

18 THE DEFENDANT: I feel like what I want to talk about
19 will take care of that. I don't think we'll have to even
20 waste time on that if the Court will allow me to speak what
21 I wanted to speak, sir.

22 THE COURT: Okay. All right. Well, I'm going to rule
23 on this Motion, and then we'll revisit it if there's some
24 other matter we need to take up with you addressing it.

25 I'm ruling on the Motion for you to act as second

1 chair. I need to do that, and I'm going to do that right
2 now.

3 THE DEFENDANT: Okay.

4 THE COURT: I will say for the record that I have
5 reviewed the Defendant's Motion and Formal Request to
6 proceed as his own counsel, act as second chair, filed
7 today. Let me ask Mr. Hamilton: Is this -- Other than the
8 announcement about the case number, is this the same --

9 MR. HAMILTON: It is.

10 THE COURT: -- same motion?

11 MR. HAMILTON: I believe it to be.

12 THE COURT: Without any amendments that you faxed or
13 emailed?

14 MR. HAMILTON: There are no amendments, and these
15 copies that were filed today were taken from what was faxed
16 to Your Honor.

17 THE COURT: And also I have reviewed the State's
18 response that was filed today. The law in this case is
19 clear. Mr. Hood does not have the right to represent
20 himself and also be represented by an attorney under
21 Georgia law and the Georgia Constitution -- Georgia case
22 law and the Georgia Constitution Article 1, Section 1,
23 Paragraph 12. So that is my ruling. There will be a
24 written order to that effect. That is my ruling on that
25 issue. Therefore, are we ready to go forward, then, with

1 the arraignment and then whatever matters after that?

2 MR. MAULDIN: The State's ready to go forward, Your
3 Honor.

4 THE DEFENDANT: What I need to address is before this
5 arraignment. It ain't going to be that long, sir. I feel
6 like this is a must, and it's my right to address this. I
7 feel like it's time to address this because this really
8 done got out of hand, sir.

9 THE COURT: Well, we're going to need to do the
10 arraignment first and then I will let you tell me what else
11 you need to tell me.

12 THE DEFENDANT: It's so bad 'til -- It's so bad.

13 THE COURT: Tell me what the subject matter is.

14 THE DEFENDANT: It's a few -- It's -- It's -- It's --
15 It's health issues. It's situations that I need to address
16 not only to the Court but for the record. You know, see, I
17 want to -- You know, I want to, you know, put something on
18 the record so the higher court can look at what I'm saying.
19 You understand? I'm not here to impede the proceeding.
20 I'm here to do what I have to do lawfully. See, that's why
21 I want to go by this Unified Appeal and I want to get this
22 situation straight because we so far behind on this case,
23 it ain't no need for me to keep getting up in court. It
24 ain't no need for it. I'm tired of this.

25 I know this man's family want to go ahead and get

1 this up. We're almost two years behind. That's why I want
2 to just go on and -- We can go ahead and get all the
3 nonsense out of the game. We can just go on and -- and I
4 couldn't say nothing. That's why I just want to go on and
5 -- I've got everything written down, and I just want to go
6 and tell it to you so we can proceed on and we don't have
7 no more bumps in the road.

8 MR. HAMILTON: Your Honor, if I may ask my client a
9 question, maybe I could help the Court with what he wants
10 to talk about.

11 THE COURT: That's fine.

12 (brief discussion between the
13 Defendant and counsel)

14 THE COURT: Here's what we're going to do, Mr.
15 Hamilton and Mr. Hood. We're going to go forward with the
16 arraignment now. Then we will take up whatever other
17 matters we need to take up.

18 THE DEFENDANT: All right.

19 THE COURT: All right. I'll ask the State now to read
20 the indictment.

21 MR. MAULDIN: Yes, Your Honor. Do y'all have a copy
22 of that?

23 MR. HAMILTON: No, I did not bring it.

24 MR. MAULDIN: We had previously provided them a copy
25 of the indictment, but I have a copy as well.

1 THE COURT: Do you need more than one?

2 MR. MAULDIN: I have more than one, Judge.

3 THE COURT: All right.

4 MR. HAMILTON: Thank you.

5 MR. MAULDIN: Mr. Hood, this indictment reads as
6 follows: "Georgia, Clarke County, In the Superior Court of
7 said County, the grand jurors selected, chosen, and sworn
8 for the County of Clarke; in the name and behalf of the
9 citizens of Georgia do hereby charge and accuse Jamie
10 Donnell Hood in Count 1 with the offense of malice murder
11 for that the said Jamie Donnell Hood on the 22nd day of
12 March, 2011, in the County aforesaid did unlawfully and
13 with malice aforethought cause the death of Elmer "Buddy"
14 Christian, a human being, by shooting him with a certain
15 handgun in violation of O.C.G.A. Section 16-5-1, contrary
16 to laws of said State."

17 Count 2 charges as follows: "And we the grand
18 jurors aforesaid in the name and behalf of the citizens of
19 the State of Georgia do further charge and accuse Jamie
20 Donnell Hood with the offense of felony murder for that the
21 said Jamie Donnell Hood on the 22nd day of March, 2011, in
22 the County aforesaid did unlawfully and irrespective of
23 malice cause the death of Elmer "Buddy" Christian, a human
24 being, while in the commission of the felony offense of
25 aggravated assault upon a peace officer with a deadly

1 weapon as charged in Count 4 of this indictment in that the
2 said accused did knowingly and unlawfully make an assault
3 upon the person of Elmer "Buddy" Christian, a peace officer
4 employed with the Athens-Clarke County Police Department,
5 with a certain handgun, a deadly weapon, by shooting
6 Officer Elmer "Buddy" Christian with said handgun, said
7 assault occurring while Officer Christian was engaged in
8 the performance of his official duties, in violation of
9 O.C.G.A. Sections 16-15-1 and 16-5-21, contrary to the laws
10 of said State."

11 Count 3 charges: "And we the grand jurors
12 aforesaid in the name and behalf of the citizens of the
13 State of Georgia do further charge and accuse Jamie Donnell
14 Hood with the offense of felony murder for that the said
15 Jamie Donnell Hood on the 22nd day of March, 2011, in the
16 County aforesaid did unlawfully and irrespective of malice
17 cause the death of Elmer "Buddy" Christian, a human being,
18 while in the commission of the felony offense of possession
19 of a firearm by a convicted felon as charged in Count 5 of
20 this indictment by shooting him with a firearm, that is a
21 certain handgun, after having been convicted of the felony
22 offense of armed robbery as charged in Clarke County
23 Superior Court Case No. SU-97-CR-0877-J, in violation of
24 Sections of the Official Code of Georgia 16-5-1 and 16-11-
25 131, contrary to the laws of said State."

1 Count 4 reads as follows: "And we the grand
2 jurors aforesaid in the name and behalf of the citizens of
3 the State of Georgia do further charge and accuse Jamie
4 Donnell Hood with the offense of aggravated assault upon a
5 peace officer with a deadly weapon for that the said Jamie
6 Donnell Hood on the 22nd day of March, 2011, in the County
7 aforesaid did knowingly and unlawfully make an assault upon
8 the person of Elmer "Buddy" Christian, a peace officer
9 employed with the Athens-Clarke County Police Department,
10 with a certain handgun, a deadly weapon, by shooting
11 Officer Elmer "Buddy" Christian with said handgun, said
12 assault occurring while Officer Christian was engaged in
13 the performance of his official duties, in violation of
14 O.C.G.A. Section 16-5-21, contrary to the laws of said
15 State."

16 Count 5 reads as follows: "And we the grand
17 jurors aforesaid in the name and behalf of the citizens of
18 Georgia do further charge and accuse Jamie Donnell Hood
19 with the offense of possession of a firearm by a convicted
20 felon for that the said Jamie Donnell Hood on the 22nd day
21 of March, 2011, said date being material, in the County
22 aforesaid, did possess a firearm; to wit: a certain
23 handgun, after having been convicted of the felony offense
24 of armed robbery as charged in Clarke County Superior Court
25 Case No. SU-97-CR-0877-J, in violation of O.C.G.A. Section

1 16-11-131, contrary to the laws of said State."

2 And Count 6 reads as follows: "And we the grand
3 jurors aforesaid in the name and behalf of the citizens of
4 Georgia do further charge and accuse Jamie Donnell Hood
5 with the offense of criminal attempt to commit murder for
6 that the said Jamie Donnell Hood on the 22nd day of March,
7 2011, in the County aforesaid did with intent to commit the
8 crime of murder perform an act which constituted a
9 substantial step toward the commission of said crime, in
10 that said accused did shoot Tony Howard with a certain
11 handgun, in violation of O.C.G.A. Section 16-4-1 and 16-5-
12 1, contrary to the laws of said State."

13 "Count 7: And we the grand jurors aforesaid in
14 the name and behalf of the citizens of the State of Georgia
15 do further charge and accuse Jamie Donnell Hood with the
16 offense of aggravated assault upon a peace officer with
17 intent to murder for that the said Jamie Donnell Hood on
18 the 22nd day of March, 2011, in the County aforesaid did
19 knowingly and unlawfully make an assault upon the person of
20 Tony Howard, a peace officer employed with the Athens-
21 Clarke County Police Department, with intent to murder by
22 shooting Officer Tony Howard with a certain handgun, said
23 assault occurring while Officer Howard was engaged in the
24 performance of his official duties, in violation of
25 O.C.G.A. Section 16-5-21, contrary to the laws of said

1 State."

2 Count 8 reads: "And we the grand jurors
3 aforesaid in the name and behalf of the citizens of the
4 State of Georgia do further charge and accuse Jamie Donnell
5 Hood with the offense of aggravated assault upon a peace
6 officer with a deadly weapon for that the said Jamie
7 Donnell Hood on the 22nd day of March, 2011, in the County
8 aforesaid, did knowingly and unlawfully make an assault
9 upon the person of Tony Howard, a peace officer employed
10 with the Athens-Clarke County Police Department, with a
11 certain handgun, a deadly weapon, by shooting Officer Tony
12 Howard with said handgun, said assault occurring while
13 Officer Howard was engaged in the performance of his
14 official duties, in violation of of O.C.G.A. Section 16-5-
15 21, contrary to the laws of said State."

16 Count 8 [sic] reads as follows: "And we the
17 grand jurors aforesaid in the name and behalf of the
18 citizens of the State of Georgia do further charge and
19 accuse Jamie Donnell Hood with the offense of armed robbery
20 for that the said Jamie Donnell Hood on the 22nd day of
21 March, 2011, in the County aforesaid did with the intent to
22 commit theft take an amount of lawful United States
23 currency, cell phones, and a Chevrolet Caprice motor
24 vehicle, the property of Judon Brooks, from the person and
25 immediate presence of Judon Brooks by use of an offensive

1 weapon, to wit: a certain knife and firearms, in violation
2 of O.C.G.A. 16-8-41, contrary to the laws of said State."

3 And Count 10 charges: "And we the grand jurors
4 aforesaid in the name and behalf of the citizens of the
5 State of Georgia do further charge and accuse Jamie Donnell
6 Hood with the offense of aggravated assault with intent to
7 rob for that the said Jamie Donnell Hood on the 22nd day of
8 March, 2011, in the County aforesaid did unlawfully make an
9 assault upon the person of Judon Brooks with intent to rob,
10 in violation of O.C.G.A. Section 16-5-21, contrary to the
11 laws of said State."

12 Count 11 reads as follows: "And we the grand
13 jurors aforesaid in the name and behalf of the citizens of
14 the State of Georgia do further charge and accuse Jamie
15 Donnell Hood with the offense of aggravated assault for
16 that the said Jamie Donnell Hood on the 22nd day of March,
17 2011, in the County aforesaid did unlawfully make an
18 assault upon the person of Judon Brooks with a certain
19 object which when used offensively against a person is
20 likely to result in serious bodily injury, said object
21 being a certain knife, and with a deadly weapon, to wit:
22 certain firearms, by detaining and holding Judon Brooks
23 against his will through the use of said knife and
24 firearms, in violation of O.C.G.A. Section 16-5-21,
25 contrary to the laws of said State."

1 And Count 12 reads as follows: "And we the grand
2 jurors aforesaid in the name and behalf of the citizens of
3 the State of Georgia do further charge and accuse Jamie
4 Donnell Hood with the offense of hijacking a motor vehicle
5 for that the said Jamie Donnell Hood on the 22nd day of
6 March, 2011, in the County aforesaid did, while in
7 possession of a certain weapon, a knife and certain
8 firearms, obtain a Chevrolet Caprice motor vehicle from the
9 person and immediate presence of Judon Brooks by force and
10 intimidation, in violation of O.C.G.A. 16-5-44.1, contrary
11 to the laws of said State."

12 And Count 13 reads: "And we the grand jurors
13 aforesaid in the name and behalf of the citizens of the
14 State of Georgia do further charge and accuse Jamie Donnell
15 Hood with the offense of kidnapping with bodily injury for
16 that the said Jamie Donnell Hood on the 22nd day of March,
17 2011, in the County aforesaid did unlawfully abduct and
18 steal away Judon Brooks, a person, without lawful authority
19 and hold him against his will, Judon Brooks receiving a
20 bodily injury thereby, to wit: abrasions to his wrists and
21 legs, in violation of O.C.G.A. Section 16-5-40, contrary to
22 the laws of said State."

23 And Count 14 reads: "And we the grand jurors
24 aforesaid in the name and behalf of the citizens of the
25 State of Georgia do further charge and accuse Jamie Donnell

1 Hood with the offense of armed robbery for that the said
2 Jamie Donnell Hood on the 22nd day of March, 2011, in the
3 County aforesaid did with the intent to commit theft take a
4 Chevrolet Prizm motor vehicle, the property of Erma Lee
5 Shaw, from the person and immediate presence of Deborah
6 Lumpkin by use of an offensive weapon, to wit: a certain
7 handgun, in violation of O.C.G.A. Section 16-8-41, contrary
8 to the laws of said State."

9 And Count 15 reads: "And we the grand jurors
10 aforesaid in the name and behalf of the citizens of the
11 State of Georgia do further charge and accuse Jamie Donnell
12 Hood with the offense of aggravated assault with intent to
13 rob for that the said Jamie Donnell Hood on the 22nd day of
14 March, 2011, in the County aforesaid did unlawfully make an
15 assault upon the person of Deborah Lumpkin with intent to
16 rob, in violation of O.C.G.A. Section 16-5-21, contrary to
17 the laws of said State."

18 Count 16 reads: "And we the grand jurors
19 aforesaid in the name and behalf of the citizens of the
20 State of Georgia do further charge and accuse Jamie Donnell
21 Hood with the offense of aggravated assault with a deadly
22 weapon for that the said Jamie Donnell Hood on the 22nd day
23 of March, 2011, in the County aforesaid did unlawfully make
24 an assault upon the person of Deborah Lumpkin with a deadly
25 weapon, that is a certain handgun, by detaining and holding

1 Deborah Lumpkin against her will through the use of said
2 handgun, in violation of O.C.G.A. Section 16-5-21, contrary
3 to the laws of said State."

4 And Count 17 reads: "And we the grand jurors
5 aforesaid in the name and behalf of the citizens of the
6 State of Georgia do further charge and accuse Jamie Donnell
7 Hood with the offense of hijacking a motor vehicle for that
8 the said Jamie Donnell Hood on the 22nd day of March, 2011,
9 in the County aforesaid did, while in possession of a
10 firearm, to wit: a certain handgun, obtain a Chevrolet
11 Prizm motor vehicle from the person and immediate presence
12 of Deborah Lumpkin by force and intimidation, in violation
13 of O.C.G.A. Section 16-5-44.1, contrary to the laws of said
14 State."

15 And Count 18 reads as follows: "And we the grand
16 jurors aforesaid in the name and behalf of the citizens of
17 the State of Georgia do further charge and accuse Jamie
18 Donnell Hood with the offense of kidnapping for that the
19 said Jamie Donnell Hood on the 22nd day of March, 2011, in
20 the County aforesaid, did unlawfully abduct and steal away
21 Deborah Lumpkin, a person, without lawful authority and
22 hold her against her will, in violation of O.C.G.A. Section
23 16-5-40, contrary to the laws of said State."

24 And Count 19 reads: "And we the grand jurors
25 aforesaid in the name and behalf of the citizens of the

1 State of Georgia do further charge and accuse Jamie Donnell
2 Hood with the offense of aggravated assault with a deadly
3 weapon for that the said Jamie Donnell Hood on and between
4 the 24th and 25th days of March, 2011, in the County
5 aforesaid did unlawfully make an assault upon the person of
6 Shadonjahnique Bess with a deadly weapon, to wit: a certain
7 handgun, by detaining and holding Shadonjahnique Bess
8 against her will through the use of said handgun, in
9 violation of O.C.G.A. 16-5-21, contrary to the laws of said
10 State."

11 Count 20 reads: "And we the grand jurors
12 aforesaid in the name and behalf of the citizens of the
13 State of Georgia do further charge and accuse Jamie Donnell
14 Hood with the offense of kidnapping for that the said Jamie
15 Donnell Hood on and between the 24th and 25th days of
16 March, 2011, in the County aforesaid did unlawfully abduct
17 and steal away Shadonjahnique Bess, a person, without
18 lawful authority and hold her against her will, in
19 violation of O.C.G.A. Section 16-5-40, contrary to the laws
20 of said State."

21 Count 21 reads: "And we the grand jurors
22 aforesaid in the name and behalf of the citizens of the
23 State of Georgia do further charge and accuse Jamie Donnell
24 Hood with the offense of false imprisonment for that the
25 said Jamie Donnell Hood on and between the 24th and 25th

1 days of March, 2011, in the County aforesaid did unlawfully
2 detain Shadonjahnique Bess, a person, without legal
3 authority and in violation of her personal liberty, in
4 violation of O.C.G.A. 16-5-41, contrary to the laws of said
5 State."

6 And Count 22 reads: "And we the grand jurors
7 aforesaid in the name and behalf of the citizens of the
8 State of Georgia do further charge and accuse Jamie Donnell
9 Hood with the offense of burglary for that the said Jamie
10 Donnell Hood on and between the 24th and 25th days of
11 March, 2011, in the County aforesaid did enter and remain
12 within the residence of Chayandre Bess located at 102
13 Creekstone Drive, Athens, with the intent to commit a
14 felony therein, to wit: aggravated assault, kidnapping, and
15 false imprisonment, in violation of O.C.G.A. Section 16-7-
16 1, contrary to the laws of said State."

17 And Count 23 reads: "And we the grand jurors
18 aforesaid in the name and behalf of the citizens of the
19 State of Georgia do further charge and accuse Jamie Donnell
20 Hood with the offense of aggravated assault with a deadly
21 weapon for that the said Jamie Donnell Hood on and between
22 the 24th and 25th days of March, 2011 in the County
23 aforesaid did unlawfully make an assault upon the person of
24 Chayandre Bess with a deadly weapon, to wit: a certain
25 handgun, by detaining and holding Chayandre Bess against

1 her will through the use of said handgun, in violation of
2 O.C.G.A. 16-5-21, contrary to the laws of said State."

3 And Count 24 reads: "And we the grand jurors
4 aforesaid in the name and behalf of the citizens of the
5 State of Georgia do further charge and accuse Jamie Donnell
6 Hood with the offense of kidnapping for that the said Jamie
7 Donnell Hood on and between the 24th and 25th days of
8 March, 2011, in the County aforesaid did unlawfully abduct
9 and steal away Chayandre Bess, a person, without lawful
10 authority and hold her against her will, in violation of
11 O.C.G.A. 16-5-40, contrary to the laws of said State."

12 And Count 25 reads: "And we the grand jurors
13 aforesaid in the name and behalf of the citizens of the
14 State of Georgia do further charge and accuse Jamie Donnell
15 Hood with the offense of false imprisonment for that the
16 said Jamie Donnell Hood on and between the 24th and 25th
17 days of March, 2011, in the County aforesaid did unlawfully
18 detain Chayandre Bess, a person, without lawful authority
19 -- legal authority and in violation of her personal
20 liberty, in violation of O.C.G.A. Section 16-5-41, contrary
21 to the laws of said State."

22 And Count 26 reads: "And we the grand jurors
23 aforesaid in the name and behalf of the citizens of the
24 State of Georgia do further charge and accuse Jamie Donnell
25 Hood with the offense of aggravated assault with a deadly

1 weapon for the said Jamie Donnell Hood on and between the
2 24th and 25th days of March, 2011, in the County aforesaid
3 did unlawfully make an assault upon the person of Macayla
4 Hull, with a deadly weapon, to wit: a certain handgun, by
5 detaining and holding Macayla Hull against her will through
6 the use of said handgun, in violation of O.C.G.A. Section
7 16-5-21, contrary to the laws of said State."

8 And Count 27 reads: "And we the grand jurors
9 aforesaid in the name and behalf of the citizens of the
10 State of Georgia do further charge and accuse Jamie Donnell
11 Hood with the offense of kidnapping for that the said Jamie
12 Donnell Hood on and between the 24th and 25th days of
13 March, 2011, in the County aforesaid did unlawfully abduct
14 and steal away Macayla Hull, a person, without lawful
15 authority and hold her against her will, in violation of
16 16-5-40, contrary to the laws of said State."

17 And Count 28 reads: "And we the grand jurors
18 aforesaid in the name and behalf of the citizens of the
19 State of Georgia do further charge and accuse Jamie Donnell
20 Hood with the offense of false imprisonment for that the
21 said Jamie Donnell Hood on and between the 24th and 25th
22 days of March, 2011, in the County aforesaid did unlawfully
23 detain Macayla Hull, a person, without legal authority and
24 in violation of her personal liberty, in violation of
25 O.C.G.A. Section 16-5-41, contrary to the laws of said

1 State."

2 And Count 29 reads: "And we the grand jurors
3 aforesaid in the name and behalf of the citizens of the
4 State of Georgia do further charge and accuse Jamie Donnell
5 Hood with the offense of aggravated assault with a deadly
6 weapon for that the said Jamie Donnell Hood on and between
7 the 24th and 25th days of March, 2011, in the County
8 aforesaid did unlawfully make an assault upon the person of
9 Mandrell Hull with a deadly weapon, to wit: a certain
10 handgun, by detaining and holding Mandrell Hull against his
11 will through the use of said handgun, in violation of
12 O.C.G.A. 16-5-21, contrary to the laws of said State."

13 And Count 30 reads: "And we the grand jurors
14 aforesaid in the name and behalf of the citizens of the
15 State of Georgia do further charge and accuse Jamie Donnell
16 Hood with the offense of kidnapping for that the said Jamie
17 Donnell Hood on and between the 24th and 25th days of
18 March, 2011, in the County aforesaid did unlawfully abduct
19 and steal away Mandrell Hull, a person, without lawful
20 authority and hold him against his will, in violation of
21 O.C.G.A. 16-5-40, contrary to the laws of said State."

22 And Count 31 reads: "And we the grand jurors
23 aforesaid in the name and behalf of the citizens of the
24 State of Georgia do further charge and accuse Jamie Donnell
25 Hood with the offense of false imprisonment for that the

1 said Jamie Donnell Hood on and between the 24th and 25th
2 days of March, 2011, in the County aforesaid did unlawfully
3 detain Mandrell Hull, a person, without legal authority in
4 violation of her personal liberty -- his personal liberty
5 and in violation of O.C.G.A. 16-5-41, contrary to the laws
6 of said State."

7 And Count 32 reads: "And we the grand jurors
8 aforesaid in the name and behalf of the citizens of the
9 State of Georgia do further charge and accuse Jamie Donnell
10 Hood with the offense of aggravated assault with a deadly
11 weapon for that the said Jamie Donnell Hood on and between
12 the 24th and 25th days of March, 2011, in the County
13 aforesaid, did unlawfully make an assault upon the person
14 of Belinda Willoughby with a deadly weapon, to wit: a
15 certain handgun, by detaining and holding Belinda
16 Willoughby against her will through the use of said
17 handgun, in violation of O.C.G.A. 16-5-21, contrary to the
18 laws of said State."

19 And Count 33 reads: "And we the grand jurors
20 aforesaid in the name and behalf of the citizens of the
21 State of Georgia do further charge and accuse Jamie Donnell
22 Hood with the offense of kidnapping for that the said Jamie
23 Donnell Hood on and between the 24th and 25th days of
24 March, 2011, in the County aforesaid did unlawfully abduct
25 and steal away Belinda Willoughby, a person, without lawful

1 authority and hold her against her will, in violation of
2 O.C.G.A. 16-5-40, contrary to the laws of said State.

3 And Count 34 reads: "And we the grand jurors
4 aforesaid in the name and behalf of the citizens of the
5 State of Georgia do further charge and accuse Jamie Donnell
6 Hood with the offense of false imprisonment for that the
7 said Jamie Donnell Hood on and between the 24th and 25th
8 days of March, 2011, in the County aforesaid did unlawfully
9 detain Belinda Willoughby, a person, without legal
10 authority and in violation of her personal liberty, in
11 violation of O.C.G.A. 16-5-41, contrary to the laws of said
12 State."

13 And Count 35 charges: "And we the grand jurors
14 aforesaid in the name and behalf of the citizens of the
15 State of Georgia do further charge and accuse Jamie Donnell
16 Hood with the offense of aggravated assault with a deadly
17 weapon for that the said Jamie Donnell Hood on and between
18 the 24th and 25th days of March, 2011, in the County
19 aforesaid, did unlawfully make an assault upon the person
20 of Quinton Deon Riden with a deadly weapon, to wit: a
21 certain handgun, by detaining and holding Quinton Deon
22 Riden against his will through the use of said handgun, in
23 violation of O.C.G.A. Section 16-5-21, contrary to the laws
24 of said State."

25 And Count 36 reads: "And we the grand jurors

1 aforesaid in the name and behalf of the citizens of the
2 State of Georgia do further charge and accuse Jamie Donnell
3 Hood with the offense of kidnapping for that the said Jamie
4 Donnell Hood on and between the 24th and 25th days of
5 March, 2011, in the County aforesaid did unlawfully abduct
6 and steal away Quinton Deon Riden, a person, without lawful
7 authority and hold him against his will, in violation of
8 O.C.G.A. Section 16-5-40, contrary to the laws of said
9 State.

10 And Count 37 reads: "And we the grand jurors
11 aforesaid in the name and behalf of the citizens of the
12 State of Georgia do further charge and accuse Jamie Donnell
13 Hood with the offense of false imprisonment for that the
14 said Jamie Donnell Hood on and between the 24th and 25th
15 days of March, 2011, in the County aforesaid did unlawfully
16 detain Quinton Deon Riden, a person, without legal
17 authority and in violation of his personal liberty, in
18 violation of O.C.G.A. 16-5-41, contrary to the laws of said
19 State."

20 And Count 38 reads: "And we the grand jurors
21 aforesaid in the name and behalf of the citizens of the
22 State of Georgia do further charge and accuse Jamie Donnell
23 Hood with the offense of aggravated assault with a deadly
24 weapon for that the said Jamie Donnell Hood on and between
25 the 24th and 25th days of March, 2011, in the County

1 aforesaid did unlawfully make an assault upon the person of
2 Chandre Bess with a deadly weapon, to wit: a certain
3 handgun, by detaining and holding Chandre Bess against her
4 will through the use of said handgun, in violation of
5 O.C.G.A. 16-5-21, contrary to the laws of said State."

6 And Count 39 reads: "And we the grand jurors
7 aforesaid in the name and behalf of the citizens of the
8 State of Georgia do further charge and accuse Jamie Donnell
9 Hood with the offense of kidnapping for that the said Jamie
10 Donnell Hood on and between the 24th and 25th days of
11 March, 2011, in the County aforesaid, did unlawfully abduct
12 and steal away Chandre Bess, a person, without lawful
13 authority and hold her against her will, in violation of
14 O.C.G.A. Section 16-5-40, contrary to the laws of said
15 State."

16 And Count 40 reads: "And we the grand jurors
17 aforesaid in the name and behalf of the citizens of the
18 State of Georgia do further charge and accuse Jamie Donnell
19 Hood with the offense of false imprisonment for that the
20 said Jamie Donnell Hood on and between the 24th and 25th
21 days of March, 2011, in the County aforesaid did unlawfully
22 detain Chandre Bess, a person, without legal authority and
23 in violation of her personal liberty, in violation of
24 O.C.G.A. Section 16-5-41, contrary to the laws of said
25 State."

1 And Count 41 reads: "And we the grand jurors
2 aforesaid in the name and behalf of the citizens of the
3 State of Georgia do further charge and accuse Jamie Donnell
4 Hood with the offense of aggravated assault with a deadly
5 weapon for that the said Jamie Donnell Hood on and between
6 the 24th and 25th days of March, 2011, in the County
7 aforesaid did unlawfully make an assault upon the person of
8 Zyan Riden with a deadly weapon, to wit: a certain handgun,
9 by detaining and holding Zyan Riden against his will
10 through the use of said handgun, in violation of O.C.G.A.
11 Section 16-5-21, contrary to the laws of said State."

12 And Count 42 reads: "And we the grand jurors
13 aforesaid in the name and behalf of the citizens of the
14 State of Georgia do further charge and accuse Jamie Donnell
15 Hood with the offense of kidnapping for that the said Jamie
16 Donnell Hood on and between the 24th and 25th days of
17 March, 2011, in the County aforesaid, did unlawfully abduct
18 and steal away Zyan Riden, a person, without lawful
19 authority and hold him against his will, in violation of
20 O.C.G.A. Section 16-5-40, contrary to the laws of said
21 State."

22 And Count 43 reads: "And we the grand jurors
23 aforesaid in the name and behalf of the citizens of the
24 State of Georgia do further charge and accuse Jamie Donnell
25 Hood with the offense of false imprisonment for that the

1 said Jamie Donnell Hood on and between the 24th and 25th
2 days of March, 2011, in the County aforesaid did unlawfully
3 detain Zyan Riden, a person, without legal authority and in
4 violation of his personal liberty, in violation of O.C.G.A.
5 Section 16-5-41, contrary to the laws of said State."

6 And Count 44 reads: "And we the grand jurors
7 aforesaid in the name and behalf of the citizens of the
8 State of Georgia do further charge and accuse Jamie Donnell
9 Hood with the offense of aggravated assault with a deadly
10 weapon for that the said Jamie Donnell Hood on and between
11 the 24th and 25th days of March, 2011, in the County
12 aforesaid did unlawfully make an assault upon the person of
13 Renaldo Billups with a deadly weapon, to wit: a certain
14 handgun, by detaining and holding Renaldo Billups against
15 his will through the use of said handgun, in violation of
16 O.C.G.A. Section 16-5-21, contrary to the laws of said
17 State."

18 And Count 45 reads: "And we the grand jurors
19 aforesaid in the name and behalf of the citizens of the
20 State of Georgia do further charge and accuse Jamie Donnell
21 Hood with the offense of kidnapping for that the said Jamie
22 Donnell Hood on and between the 24th and 25th days of
23 March, 2011, in the County aforesaid, did unlawfully abduct
24 and steal away Renaldo Billups, a person, without lawful
25 authority and hold him against his will, in violation of

1 O.C.G.A. 16-5-40, contrary to the laws of said State."

2 And Count 46 reads: "And we the grand jurors
3 aforesaid in the name and behalf of the citizens of the
4 State of Georgia do further charge and accuse Jamie Donnell
5 Hood with the offense of false imprisonment for that the
6 said Jamie Donnell Hood on and between the 24th and 25th
7 days of March, 2011, in the County aforesaid did unlawfully
8 detain Renaldo Billups, a person, without legal authority
9 and in violation of his personal liberty, in violation of
10 O.C.G.A. Section 16-5-41, contrary to the laws of said
11 State."

12 And Count 47 reads: "And we the grand jurors
13 aforesaid in the name and behalf of the citizens of the
14 State of Georgia do further charge and accuse Jamie Donnell
15 Hood with the offense of aggravated assault with a deadly
16 weapon for that the said Jamie Donnell Hood on and between
17 the 24th and 25th days of March, 2011, in the County
18 aforesaid did unlawfully make an assault upon the person of
19 Terrance Lumpkin with a deadly weapon, to wit: a certain
20 handgun, by detaining and holding Terrance Lumpkin against
21 his will through the use of said handgun, in violation of
22 O.C.G.A. Section 16-5-21, contrary to the laws of said
23 State."

24 And Count 48 reads: "And we the grand jurors
25 aforesaid in the name and behalf of the citizens of the

1 State of Georgia do further charge and accuse Jamie Donnell
2 Hood with the offense of kidnapping for that the said Jamie
3 Donnell Hood on and between the 24th and 25th days of
4 March, 2011, in the County aforesaid, did unlawfully abduct
5 and steal away Terrance Lumpkin, a person, without lawful
6 authority and hold him against his will, in violation of
7 O.C.G.A. Section 16-5-40, contrary to the laws of said
8 State."

9 And Count 49 reads: "And we the grand jurors
10 aforesaid in the name and behalf of the citizens of the
11 State of Georgia do further charge and accuse Jamie Donnell
12 Hood with the offense of false imprisonment for that the
13 said Jamie Donnell Hood on and between the 24th and 25th
14 days of March, 2011, in the County aforesaid did unlawfully
15 detain Terrance Lumpkin, a person, without legal authority
16 and in violation of his personal liberty, in violation of
17 O.C.G.A. Section 16-5-41, contrary to the laws of said
18 State."

19 And Count 50 reads: "In the name and behalf of
20 the citizens of the State of Georgia, do hereby charge and
21 accuse Jamie Donnell Hood with the offense of malice murder
22 for that the said Jamie Donnell Hood on the 28th day of
23 March, 2011 [sic], in the County aforesaid did unlawfully
24 and with malice aforethought cause the death of Kenneth
25 Omari Wray, a human being, by shooting him with a certain

1 handgun, in violation of O.C.G.A. Section 16-5-1, contrary
2 to the laws of said State."

3 And Count 51 reads: "And we the grand jurors
4 aforesaid in the name and behalf of the citizens of the
5 State of Georgia do further charge and accuse Jamie Donnell
6 Hood with the offense of felony murder for the said Jamie
7 Donnell Hood on the 28th day of December, 2010, in the
8 County aforesaid did unlawfully and irrespective of malice,
9 cause the death of Kenneth Omari Wray, a human being, while
10 in the commission of the felony offense of aggravated
11 assault with a deadly weapon as charged in Count 53 of this
12 indictment, in that said accused did unlawfully make an
13 assault upon the person of Kenneth Omari Wray, with a
14 certain handgun, a deadly weapon, by shooting Kenneth Omari
15 Wray with said handgun, in violation of Section of the
16 Official Code of Georgia 16-5-1 and 16-5-21, contrary to
17 the laws of said State."

18 And Count 52 reads: "And we the grand jurors
19 aforesaid in the name and behalf of the citizens of the
20 State of Georgia do further charge and accuse Jamie Donnell
21 Hood with the offense of felony murder for that the said
22 Jamie Donnell Hood on the 28th day of December, 2010, in
23 the County aforesaid did unlawfully and irrespective of
24 malice cause the death of Kenneth Omari Wray, a human
25 being, while in the commission of the felony offense of

1 possession of a firearm by a convicted felon as charged in
2 Count 54 of this indictment, by shooting him with a
3 firearm, to wit: a certain handgun, after having been
4 convicted of the felony offense of armed robbery as charged
5 in Clarke County Superior Court Case No. SU-97-CR-0877-J,
6 in violation of O.C.G.A. Section 16-5-1 and 16-11-131,
7 contrary to the laws of said State."

8 And Count 53 reads: "And we the grand jurors
9 aforesaid in the name and behalf of the citizens of the
10 State of Georgia do further charge and accuse Jamie Donnell
11 Hood with the offense of aggravated assault with a deadly
12 weapon for that the said Jamie Donnell Hood on the 28th day
13 of December, 2010, in the County aforesaid did unlawfully
14 make an assault upon the person of Kenneth Omari Wray, with
15 a certain handgun, a deadly weapon, by shooting Kenneth
16 Omari Wray with said handgun, in violation of O.C.G.A.
17 Section 16-5-21, contrary to the laws of said State."

18 And Count 54 reads: "And we the grand jurors
19 aforesaid in the name and behalf of the citizens of the
20 State of Georgia do further charge and accuse Jamie Donnell
21 Hood with the offense of possession of a firearm by a
22 convicted felon for that the said Jamie Donnell Hood on the
23 28th day of December, 2010, said date being material, in
24 the County aforesaid did possess a firearm, to wit: a
25 certain handgun after having been convicted of the felony

1 offense of armed robbery as charge in Clarke County
2 Superior Court Case No. SU-97-CR-0877-J, in violation of
3 16-11-131."

4 And Count 55 reads: "And we the grand jurors
5 aforesaid in the name and behalf of the citizens of the
6 State of Georgia do further charge and accuse Jamie Donnell
7 Hood with the offense of possession of a firearm during the
8 commission of a crime for that the said Jamie Donnell Hood
9 on the 22nd day of March, 2011, in the County aforesaid
10 did, being a person who had been previously convicted of
11 the felony offense of armed robbery as charged in Clarke
12 County Superior Court Case No. SU-97-CR-0877-J have on and
13 within arms' reach of his person a firearm, to wit: a
14 certain handgun during the commission of at least one of
15 the felony offenses set forth in Counts 1, 2, 3, and 4 of
16 this indictment, said offenses being against and involving
17 the person of Elmer "Buddy" Christian, in violation of
18 O.C.G.A. Section 16-11-133, contrary to the laws of said
19 State."

20 And Count 56 reads: "And we the grand jurors
21 aforesaid in the name and behalf of the citizens of the
22 State of Georgia do further charge and accuse Jamie Donnell
23 Hood with the offense of possession of a firearm during the
24 commission of a crime for that the said Jamie Donnell Hood
25 on the 22nd day of March, 2011, in the County aforesaid

1 did, being a person who had been previously convicted of
2 the felony offense of armed robbery as charged in Clarke
3 County Superior Court Case No. SU-97-CR-0877-J have on and
4 within arm's reach of his person a firearm, to wit: a
5 certain handgun, during the commission of at least one of
6 the felony offenses set forth in Counts 6, 7, and 8 of this
7 indictment, said offenses being against and involving the
8 person of Tony Howard, in violation of O.C.G.A. Section
9 16-11-133, contrary to the laws of said State."

10 And Count 57 reads: "And we the grand jurors
11 aforesaid in the name and behalf of the citizens of the
12 State of Georgia do further charge and accuse Jamie Donnell
13 Hood with the offense of possession of a knife during the
14 commission of a crime for that the said Jamie Donnell Hood
15 on the 22nd day of March, 2011, in the County aforesaid,
16 did have on and within arm's reach of his person, a knife
17 having a blade of at least three inches, during the
18 commission of at least one of the felony offenses set forth
19 in Counts 9, 10, 11, 12, and 13 of this indictment, said
20 offenses being against and involving the person of Judon
21 Brooks, in violation of O.C.G.A. Section 16-11-106,
22 contrary to the laws of said State."

23 And Count 58 reads: "And we the grand jurors
24 aforesaid in the name and behalf of the citizens of the
25 State of Georgia do further charge and accuse Jamie Donnell

1 Hood with the offense of possession of a firearm during the
2 commission of a crime for that the said Jamie Donnell Hood
3 on the 22nd day of March, 2011, in the County aforesaid
4 did, being a person who had been previously convicted of
5 the felony offense of armed robbery as charged in Clarke
6 County Superior Court Case No. SU-97-CR-0877-J, have on and
7 within arm's reach of his person a firearm, to wit: a
8 certain handgun, during the commission of at least one of
9 the felony offenses set forth in Counts 9, 10, 11, 12, and
10 13 of this indictment, said offenses being against and
11 involving the person of Judon Brooks, in violation of
12 O.C.G.A. Section 16-11-133."

13 And Count 59 reads: "And we the grand jurors
14 aforesaid in the name and behalf of the citizens of the
15 State of Georgia do further charge and accuse Jamie Donnell
16 Hood with the offense of possession of a firearm during the
17 commission of a crime for that the said Jamie Donnell Hood
18 on the 22nd day of March, 2011, in the County aforesaid
19 did, being a person who had been previously convicted of
20 the felony offense of armed robbery as charged in Clarke
21 County Superior Court Case No. SU-97-CR-0877-J, have on and
22 within arm's reach of his person a firearm, to wit: a
23 certain handgun, during the commission of at least one of
24 the felony offenses set forth in Counts 14, 15, 16, 17, and
25 18 of this indictment, said offenses being against and

1 involving the person of Deborah Lumpkin, in violation of
2 O.C.G.A. Section 16-11-133, contrary to the laws of said
3 State."

4 And Count 60 reads: "And we the grand jurors
5 aforesaid in the name and behalf of the citizens of the
6 State of Georgia do hereby charge and accuse Jamie Donnell
7 Hood with the offense of possession of a firearm during the
8 commission of a crime for that the said Jamie Donnell Hood
9 on and between the 24th and 25th days of March, 2011, in
10 the County aforesaid did, being a person who had been
11 previously convicted of the felony offense of armed robbery
12 as charged in Clarke County Superior Court Case No. SU-97-
13 CR-0877-J, have on and within arm's reach of his person a
14 firearm, to wit: a certain handgun, during the commission
15 of at least one of the felony offenses set forth in Counts
16 19, 20, and 21 of this indictment, said offenses being
17 against and involving the person of Shadonjahnique Bess, in
18 violation of O.C.G.A. Section 16-11-133, contrary to the
19 laws of said State."

20 And Count 61 reads: "And we the grand jurors
21 aforesaid in the name and behalf of the citizens of the
22 State of Georgia do further charge and accuse Jamie Donnell
23 Hood with the offense of possession of a firearm during the
24 commission of a crime for that the said Jamie Donnell Hood
25 on and between the 24th and 25th days of March, 2011, in

1 the County aforesaid did, being a person who had been
2 previously convicted of the felony offense of armed robbery
3 as charged in Clarke County Superior Court Case No. SU-97-
4 CR-0877-J, have on and within arm's reach of his person a
5 firearm, to wit: a certain handgun, during the commission
6 of at least one of the felony offenses set forth in Counts
7 22, 23, 24, and 25 of this indictment, said offenses being
8 against and involving the person of Chayandre Bess, in
9 violation of O.C.G.A. Section 16-11-133, contrary to the
10 laws of said State."

11 And Count 62 reads: "And we the grand jurors
12 aforesaid in the name and behalf of the citizens of the
13 State of Georgia do further charge and accuse Jamie Donnell
14 Hood with the offense of possession of a firearm during the
15 commission of a crime for that the said Jamie Donnell Hood
16 on and between the 24th and 25th days of March, 2011, in
17 the County aforesaid did, being a person who had been
18 previously convicted of the felony offense of armed robbery
19 as charged in Clarke County Superior Court Case No. SU-97-
20 CR-0877-J, have on and within arm's reach of his person a
21 firearm, that is a certain handgun, during the commission
22 of at least one of the felony offenses set forth in Counts
23 26, 27, and 28 of this indictment, said offenses being
24 against and involving the person of Macayla Hull, in
25 violation of O.C.G.A. Section 16-11-133, contrary to the

1 laws of said State."

2
3 And Count 63 reads: "And we the grand jurors
4 aforesaid in the name and behalf of the citizens of the
5 State of Georgia do further charge and accuse Jamie Donnell
6 Hood with the offense of possession of a firearm during the
7 commission of a crime for that the said Jamie Donnell Hood
8 on and between the 24th and 25th days of March, 2011, in
9 the County aforesaid did, being a person who had been
10 previously convicted of the felony offense of armed robbery
11 as charged in Clarke County Superior Court Case No. SU-97-
12 CR-0877-J, have on and within arm's reach of his person a
13 firearm, that is, a certain handgun, during the commission
14 of at least one of the felony offenses set forth in Counts
15 29, 30, and 31 of this indictment, said offenses being
16 against and involving the person of Mandrell Hull, in
17 violation of O.C.G.A. Section 16-11-133, contrary to the
18 laws of said State."

19 And Count 64 reads: "And we the grand jurors
20 aforesaid in the name and behalf of the citizens of the
21 State of Georgia do further charge and accuse Jamie Donnell
22 Hood with the offense of possession of a firearm during the
23 commission of a crime for that the said Jamie Donnell Hood
24 on and between the 24th and 25th days of March, 2011, in
25 the County aforesaid did, being a person who had been

1 previously convicted of the felony offense of armed robbery
2 as charged in Clarke County Superior Court Case No. SU-97-
3 CR-0877-J, have on and within arm's reach of his person a
4 firearm, that is, a certain handgun, during the commission
5 of at least one of the felony offenses set forth in Counts
6 32, 33, and 34 of this indictment, said offenses being
7 against and involving the person of Belinda Willoughby, in
8 violation of O.C.G.A. Section 16-11-133, contrary to the
9 laws of said State."

10 And Count 65 reads: "And we the grand jurors
11 aforesaid in the name and behalf of the citizens of the
12 State of Georgia do further charge and accuse Jamie Donnell
13 Hood with the offense of possession of a firearm during the
14 commission of a crime for that the said Jamie Donnell Hood
15 on and between the 24th and 25th days of March, 2011, in
16 the County aforesaid did, being a person who had been
17 previously convicted of the felony offense of armed robbery
18 as charged in Clarke County Superior Court Case No. SU-97-
19 CR-0877-J, have on and within arm's reach of his person a
20 firearm, that is, a certain handgun, during the commission
21 of at least one of the felony offenses set forth in Counts
22 35, 36, and 37 of this indictment, said offenses being
23 against and involving the person of Quinton Deon Riden, in
24 violation of O.C.G.A. Section 16-11-133, contrary to the
25 laws of said State."

1 Count 66 reads: "And we the grand jurors
2 aforesaid in the name and behalf of the citizens of the
3 State of Georgia do further charge and accuse Jamie Donnell
4 Hood with the offense of possession of a firearm during the
5 commission of a crime for that the said Jamie Donnell Hood
6 on and between the 24th and 25th days of March, 2011, in
7 the County aforesaid did, being a person who had been
8 previously convicted of the felony offense of armed robbery
9 as charged in Clarke County Superior Court Case No. SU-97-
10 CR-0877-J, have on and within arm's reach of his person a
11 firearm, that is, a certain handgun, during the commission
12 of at least one of the felony offenses set forth in Counts
13 38, 39, and 40 of this indictment, said offenses being
14 against and involving the person of Chandre Bess, in
15 violation of O.C.G.A. 16-11-133, contrary to the laws of
16 said State."

17 And Count 67 reads: "And we the grand jurors
18 aforesaid in the name and behalf of the citizens of the
19 State of Georgia do further charge and accuse Jamie Donnell
20 Hood with the offense of possession of a firearm during the
21 commission of a crime for that the said Jamie Donnell Hood
22 on and between the 24th and 25th days of March, 2011, in
23 the County aforesaid did, being a person who had been
24 previously convicted of the felony offense of armed robbery
25 as charged in Clarke County Superior Court Case No. SU-97-

1 CR-0877-J, have on and within arm's reach of his person a
2 firearm, that is, a certain handgun, during the commission
3 of at least one of the felony offenses set forth in Counts
4 41, 42, and 43 of this indictment, said offenses being
5 against and involving the person of Zyan Riden, in
6 violation of O.C.G.A. Section 16-11-133, contrary to the
7 laws of said State."

8 And Count 68 reads: "And we the grand jurors
9 aforesaid in the name and behalf of the citizens of the
10 State of Georgia do further charge and accuse Jamie Donnell
11 Hood with the offense of possession of a firearm during the
12 commission of a crime for that the said Jamie Donnell Hood
13 on and between the 24th and 25th days of March, 2011, in
14 the County aforesaid did, being a person who had been
15 previously convicted of the felony offense of armed robbery
16 as charged in Clarke County Superior Court Case No. SU-97-
17 CR-0877, have on and within arm's reach of his person a
18 firearm, to wit: a certain handgun, during the commission
19 of at least one of the felony offenses set forth in Counts
20 44, 45, and 46 of this indictment, said offenses being
21 against and involving the person of Renaldo Billups, in
22 violation of O.C.G.A. Section 16-11-133, contrary to the
23 laws of said State."

24 And Count 69 reads: "And we the grand jurors
25 aforesaid in the name and behalf of the citizens of the

1 State of Georgia do further charge and accuse Jamie Donnell
2 Hood with the offense of possession of a firearm during the
3 commission of a crime for that the said Jamie Donnell Hood
4 on and between the 24th and 25th days of March, 2011, in
5 the County aforesaid did, being a person who had been
6 previously convicted of the felony offense of armed robbery
7 as charged in Clarke County Superior Court Case No. SU-97-
8 CR-0877-J, have on and within arm's reach of his person a
9 firearm, that is, a certain handgun, during the commission
10 of at least one of the felony offenses set forth in Counts
11 47, 48, and 49 of this indictment, said offenses being
12 against and involving the person of Terrance Lumpkin, in
13 violation of O.C.G.A. Section 16-11-133, contrary to the
14 laws of said State."

15 And Count 70 reads: "And we the grand jurors
16 aforesaid in the name and behalf of the citizens of the
17 State of Georgia do further charge and accuse Jamie Donnell
18 Hood with the offense of possession of a firearm during the
19 commission of a crime for that the said Jamie Donnell Hood
20 on and between the 24th and 25th days of March, 2011, in
21 the County aforesaid did, being a person who had been
22 previously convicted of the felony offense of armed robbery
23 as charged in Clarke County Superior Court Case No. SU-97-
24 CR-0877-J, have on and within arm's reach of his person a
25 firearm, that is a certain handgun, during the commission

1 of at least one of the felony offenses set forth in Counts
2 50, 51, 52, and 53 of this indictment, said offenses being
3 against and involving the person of Kenneth Omari Wray, in
4 violation of O.C.G.A. Section 16-11-133, contrary to the
5 laws of said State, the good order, peace, and dignity
6 thereof."

7 Those are all the counts of the indictment, Your
8 Honor.

9 THE COURT: Very well. How does the Defendant plead
10 to these charges?

11 THE DEFENDANT: Not guilty.

12 THE COURT: All right.

13 MR. MAULDIN: Do you want me to enter that on the
14 indictment, Your Honor?

15 THE COURT: Yes.

16 MR. MAULDIN: The plea of not guilty has been entered,
17 Judge. As I'd indicated, we have previously provided a
18 copy of the indictment for him. We have a copy of the
19 State's list of witnesses in this matter. We had
20 previously served a copy of a list of witnesses prior to
21 any competency trial, and that will be incorporated into
22 this by reference, so therefore this is referred to as a
23 supplemental list of witnesses which we'll provide counsel
24 in confidence as set by -- set forth by the Uniform Rules.

25 THE COURT: The Defendant's plea of not guilty has

1 been entered.

2 Let's talk a minute about motions pending. We're
3 not going to hear any other motions today, formal motions.
4 What I'll do is I'll give Defense counsel 20 days to file
5 any additional motions.

6 MR. HAMILTON: Your Honor, we would ask for 45 days,
7 and the reason is I have had second chair on this case
8 since December 15th, and just going through the holidays.
9 We now have a full legal team in effect. We could use the
10 extra time. I've been on this case a very short amount of
11 time. It has taken me a long time to go through the
12 discovery, all of which -- I still have not been able to
13 review all the interviews. There are numerous motions that
14 have already been filed that I need to go over and many of
15 those need to be particularized. And, you know, candidly,
16 one lawyer's views of a specific motion form or the law on
17 point is not the views of another lawyer. I'm not being
18 dilatory, but I could use 45 days, Your Honor.

19 THE COURT: All right. Do you want to be heard, Mr.
20 Mauldin?

21 MR. MAULDIN: No, Your Honor. I leave it in Your
22 Honor's discretion.

23 THE COURT: Okay. I'm going to take into
24 consideration several things. One is that you have gotten
25 in fairly recently. On the other hand, there were -- A

1 great deal of the motions have already been filed. I'm
2 going to set the deadline at 30 days. If there is some
3 reason to consider a continuance of that, a short
4 continuance of that, you need to get that to me in
5 writing --

6 MR. HAMILTON: We'll file a motion if necessary, Your
7 Honor.

8 THE COURT: -- if necessary, but I -- There's
9 certainly an interest in everyone's behalf in moving this
10 along. I think considering the history, a lot of that has
11 already been done. We'll work off 30 days.

12 Then, in that regard, my intention -- I think I
13 announced this the last time -- would be to start with
14 Numbers 84, a Jackson v. Denno hearing; Numbers 88 and 90.
15 If -- and that probably would take the better part of a
16 session. If there's any information that it's going to
17 take longer than a day on just those three, if someone can
18 advise me about that so we set aside enough time to do
19 that. In addition to that, if there's something else that
20 needs to be heard early on, bring that to my attention as
21 well, and we'll consider that. I think I said last time
22 that that was where I would start, and I would start very
23 quickly after the deadline for the motions.

24 MR. HAMILTON: 84, 88, and 90?

25 THE COURT: Right.

1 MR. HAMILTON: When Your Honor refers to a session,
2 you mean one, two, or three days, and then set other
3 motions at a later time?

4 THE COURT: That's right. I want to -- My intent
5 would be to give you all notice of what we're going to be
6 hearing so that you can prepare, be concise, for that
7 session, and I guess what I'd like to know is if those
8 three and anything else that you think is critical that be
9 heard early on, if it's going to take more than a day, I'd
10 like your best estimate about that. That needs to come
11 from, I guess, both sides.

12 MR. HAMILTON: Again, Your Honor, if we could have as
13 much notice of that as possible, there may be witnesses or
14 expert witnesses we need to subpoena, and sometimes those
15 gentlemen can be difficult, dealing with schedules.

16 THE COURT: I understand.

17 MR. HAMILTON: And I understand the Court's position.
18 You'll want them here, but --

19 THE COURT: Okay.

20 MR. MAULDIN: Your Honor, if I could -- You're looking
21 to do all three of those on the same day. If it looks like
22 it may take longer, to let you know.

23 THE COURT: That's right.

24 MR. MAULDIN: Okay. Thank you.

25 THE COURT: That's right, so we can -- If we need to

1 set aside two days, we do that, or whatever. All right.

2 Let me ask: Ms. Herbert, I had a note here. You
3 announced during your qualifications that we went over that
4 you were going to take the death penalty course, the ten-
5 hour course, in December.

6 MS. HERBERT: Yes, Your Honor.

7 THE COURT: Did you accomplish that?

8 MS. HERBERT: I did, yes, Your Honor. I finished
9 that.

10 THE COURT: I just wanted to have that on the record.

11 MS. HERBERT: Yes, sir.

12 MR. HAMILTON: Your Honor, we have training provided
13 -- our CLE hours for the year this coming March or April, I
14 believe.

15 THE COURT: All right.

16 MR. HAMILTON: And if I could, if I could go ahead and
17 send Your Honor those dates so they won't be --

18 THE COURT: That's fine.

19 MR. HAMILTON: Okay.

20 THE COURT: That's fine. If there's something that I
21 need to know about, a conflict or if another trial is
22 scheduled, I'd rather know it than be faced with re-setting
23 it, if that makes sense.

24 MR. HAMILTON: Sure.

25 THE COURT: All right. I told Mr. Hood he'd have an

1 opportunity to --

2 THE DEFENDANT: Appreciate it.

3 THE COURT: -- tell me something.

4 THE DEFENDANT: Yeah.

5 THE COURT: Let me -- There's been a delay in talking
6 about ex parte and coming back to it now. So I'm going to
7 have to ask you -- I don't know what you're going to tell
8 me.

9 THE DEFENDANT: It's nothing incriminating.

10 THE COURT: All right.

11 THE DEFENDANT: It's nothing incriminating.

12 THE COURT: Does Mr. Hamilton know what you're going
13 to talk to me about?

14 THE DEFENDANT: I assume. I would think he do.

15 THE COURT: Mr. Hamilton, do I need to -- If that's
16 the case, do I need to consider ex parte proceedings?

17 MR. HAMILTON: Your Honor, I would object to it for
18 the reasons earlier -- and I think the record might be a
19 little muddled, the way we're doing it, but my objections
20 and concerns were more directed at this portion being ex
21 parte rather than Motion Number 100.

22 THE COURT: I see.

23 MR. HAMILTON: I do object to it being ex parte. [sic]
24 I believe this is lead counsel's choice. I don't believe
25 this is something in the purvey of the client, and --

1 THE DEFENDANT: But you've got to consult with me
2 first.

3 MR. HAMILTON: -- for the reasons that I gave earlier.
4 I understand Mr. Hood's wishes, and Mr. Hood has advised
5 the Court that he wants to do it in open court. I'm
6 objecting to that being done.

7 THE COURT: Mr. Hood, let me ask you. You have heard
8 Mr. Hamilton's advice, his clear advice, to have this, what
9 you're going to tell me, ex parte.

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Are you telling me that with an
12 understanding of the dangers of that you want to proceed in
13 open court?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Do you have any questions about proceeding
16 that way?

17 THE DEFENDANT: No, sir.

18 THE COURT: And you understand that you do that at
19 your peril regarding any sort of incriminating statements
20 that you might make?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: That's the purpose of that, among other
23 things.

24 THE DEFENDANT: I do understand, sir.

25 MR. HAMILTON: Your Honor, if I could, for the record

1 I want to say Mr. Hood has not revealed to me what he --

2 THE DEFENDANT: Yeah, I have.

3 MR. HAMILTON: -- is going to be talking about to the
4 Court.

5 THE DEFENDANT: Yeah, I have.

6 MR. HAMILTON: When I asked a minute ago, he would
7 not --

8 THE DEFENDANT: If you ain't got no --

9 MR. HAMILTON: I have an idea --

10 THE DEFENDANT: If ain't nothing wrong, don't be
11 scared.

12 THE COURT: Let him finish. Let him finish, Mr. Hood,
13 and then I'll hear from you.

14 MR. HAMILTON: I want the record to reflect that
15 contrary to the assertion just a minute ago that I do not
16 know what is going to be -- the exact nature of what is
17 going to be conducted in open court. From my prior
18 experience, it is information and matters that should be
19 done ex parte.

20 THE DEFENDANT: No, no, no, no.

21 THE COURT: Here's what we're going to do. We're
22 going to take a 15-minute recess, Mr. Hood. I'm going to
23 let you go back. I want Mr. Hamilton to know what you're
24 going to be talking about.

25 THE DEFENDANT: Judge --

1 THE COURT: That's okay.

2 THE DEFENDANT: I'd be lying to you if I talk to that
3 man.

4 THE COURT: I'm going to --

5 THE DEFENDANT: See, that's the problem. Every time
6 somebody got to hide. What we hiding? That's why we're
7 two years back. See, see, he wanted ex parte because he's
8 trying to hide something.

9 THE COURT: I am going to -- I'm going to take a 15-
10 minute recess, give you all a chance to go back to the jury
11 room and talk, if you take advantage of that. If you
12 don't, you don't. And we'll come back and take it up at
13 that time. Fifteen minutes. Thank you. Everybody remain
14 seated.

15 THE DEFENDANT: Every time I turn around, I got to
16 hide. I'm going to stop that hiding today, buddy.

17 (Defendant and counsel excused to
18 the jury room.)

19 THE COURT: We'll be back at 5 after 3:00.

20 (Proceedings in recess)

21 DEPUTY: Court will come to order; remain seated.

22 THE COURT: Mr. Hamilton, anything you need to tell
23 me?

24 MR. HAMILTON: Your Honor, when I came into this case,
25 the competency hearing had been conducted on Mr. Hood.

1 He'd had an evaluation by the State, and at that hearing
2 the State produced evidence. I do not believe the Defense
3 did. Reviewing the record, I am left with many unanswered
4 questions.

5 At this point I feel it's my duty as lead counsel
6 to Mr. Hood and my duty to the Court as an officer of the
7 court -- after meeting with Mr. Hood in that back room and
8 given the number of hours that we have met at this point,
9 that I have a good faith to believe that he is not capable
10 of assisting me in representing him at this time.

11 Your Honor, the Court has the power to conduct
12 its own inquiry, and I would ask the Court to do so. I
13 think the law is as comes through Flesche v. State, and
14 that would be 254 Ga. App. 3, a 2002 case --

15 THE DEFENDANT: I object, Your Honor. I object, Your
16 Honor.

17 THE COURT: All right.

18 THE DEFENDANT: Hold --

19 THE COURT: Let him finish. Let him finish.

20 THE DEFENDANT: This ain't right, Judge. We'd done
21 been through this, what I saying. See, this -- See, that's
22 what I'm trying to get straight. Now you want to call me
23 crazy again because I won't let you railroad me.

24 THE COURT: Let --

25 THE DEFENDANT: See -- Hold on, Judge. This ain't

1 right, Judge. That's why -- I'm trying to get us to a
2 trial. Let's look at the facts. All I want to do is state
3 the facts. I'm not fixing to come here and lie on nobody.
4 Judge, that's why I'm here. I want to get this trial over
5 with as soon as possible. I want to get to trial this
6 year. I know these folks are tired of this. We two years
7 back. Okay, Judge. We two years back almost.

8 THE COURT: I'm well aware of that.

9 THE DEFENDANT: Okay. But, look --

10 THE COURT: I'm going to stop you.

11 THE DEFENDANT: -- this man, he trying to call me
12 crazy on the sly.

13 THE COURT: Mr. Hood, I'm going to stop you. Let me
14 address Mr. Hamilton. If there is a motion that you want
15 me to consider, you'll need to make it. I'm not going to
16 accept it orally at this time.

17 MR. HAMILTON: I understand, Your Honor.

18 THE COURT: I understand your position that you've got
19 to make it. As far as Mr. Hood addressing the Court in
20 open court versus ex parte, is your position the same that
21 you are advising that he not do that?

22 MR. HAMILTON: Yes, Your Honor.

23 THE COURT: Do you have any authority, legal
24 authority, that you as counsel trumps the Defendant's
25 decision about that?

1 THE DEFENDANT: Oh, no, man. This -- This -- This --
2 Judge, come on, Judge. You said you were going to be --
3 What y'all doing?

4 THE COURT: Just wait. Just wait.

5 THE DEFENDANT: But why we got to go through this?
6 You told -- Judge, before you left, you said, "Talk to him.
7 We're going to come" --

8 THE COURT: Mr. Hood --

9 THE DEFENDANT: Man, this -- Judge, no, man. What
10 y'all really trying to hide? Say, Mr. Hamilton? Do y'all
11 see this? These folks are trying to make me crazy because
12 they don't want me to --

13 THE COURT: Mr. Hood --

14 THE DEFENDANT: -- expose this corruptness --

15 THE COURT: Mr. Hood. Mr. Hood.

16 THE DEFENDANT: -- that's going on. Come on, now,
17 Judge.

18 THE COURT: This is warning one. Let us get through
19 this. There's a procedure for everything, and we're going
20 to follow it. Warning one. If you cannot control your
21 outbursts, we'll have to make other arrangements.

22 Do you have legal authority, Mr. Hamilton?

23 MR. HAMILTON: "While an accused has the ultimate
24 authority to make certain fundamental decisions regarding
25 the case, such as whether to plead guilty, waive a jury,

1 testify, or take an appeal, an indigent defendant does not
2 have a constitutional right to compel appointed counsel to
3 press non-frivolous issues requested by client if counsel
4 as a matter of professional judgment decides not to present
5 those," and I'll provide as a cite Jones v. Barnes, 463,
6 U.S. 745, 1983. That case is not exactly on point, Your
7 Honor, but what it does do is delineate -- There are
8 certain choices and certain say-so that the Defendant has,
9 such as the right to testify, such as input into his
10 defense, to review evidence, to have effective assistance
11 of counsel, but, Your Honor, the Defendant cannot use that
12 to subvert his own case. That is the purpose of an
13 attorney. That is the purpose of appointed counsel, and
14 this counsel, lead counsel, in a death penalty case.

15 As long as I am his attorney, it is my ethical
16 and legal obligation to handle this case as I see fit in
17 certain aspects, and one of those is to prevent him from
18 damaging his case before it even gets to trial.

19 We have the media in this courtroom. Everything
20 is broadcast. It is my legal opinion and just a practical
21 matter that Mr. Hood through disclosing things that are
22 within the purview of the attorney/client privilege or
23 defense strategy should not be aired in open court.

24 THE COURT: All right. I don't believe that case is
25 on point in this situation. I do believe that Mr. Hood has

1 the complete understanding of the dangers, the risks of
2 addressing the Court without utilizing ex parte.

3 We will go through this every time it's
4 necessary. And I will ask you once again: Do you have any
5 question about your decision to proceed with whatever
6 statements you think I need to hear in open court as
7 opposed to ex parte, Mr. Hood?

8 THE DEFENDANT: No, sir.

9 THE COURT: All right. Then I'll allow you to make
10 that statement.

11 THE DEFENDANT: Thank you very much, sir. Judge,
12 first and foremost I feel like we have to do this to stop
13 -- for me -- this --

14 THE COURT: Take a minute to gather your thoughts. I
15 think a microphone just fell off is all it was. It
16 happens.

17 THE DEFENDANT: What I want to do, Judge, is get all
18 the dirt out of the game. I want to go ahead and get us to
19 trial, get the Christian family some closure, my family
20 some closure, and society some closure on this case.

21 The problem been with this case is, Judge, is
22 these corrupt law officials. It's not all law officials.
23 I'm not fixing to say that about all law enforcement. If
24 we didn't have them, we couldn't live. Everybody ain't
25 bad. Every police ain't bad. Every judge ain't bad.

1 Every attorney ain't bad. But in my case, Judge, I have
2 been shown a lot of corrupt things in this case, and it's
3 to the point -- health. My health and my family's health
4 is in danger by it. The reason why I want to tell you
5 these things, I want to tell them for the Court because
6 you're the judge, and I want to have the record reflect so
7 if needed on appeal, I'll be able to cover myself
8 professionally. I'm not fixing to sit here and lie on Mr.
9 Hamilton or anybody else. So the things I want to tell
10 you, Judge, I want to be professional about what I'm
11 saying. I've had long thoughts about what I'll be saying,
12 and I'll proceed, Judge.

13 Number one, my first concern is -- I learned
14 recently -- I brought you some evidence if you want to see
15 it.

16 THE COURT: No, sir.

17 THE DEFENDANT: Okay -- is these death threats. See,
18 it's bigger than attorney -- like these death threats. I
19 would like -- like -- I just seen this prosecutor read me
20 off 70 charges. So I would like for this prosecutor and
21 anyone else to tell me how these corrupt law officials
22 allow people to make death threats to me and my family and
23 burn down their house.

24 Judge, my family house got burned down, and I've
25 got some evidence here from Channel 2 News that -- My mom

1 went to the news before, and it says, "Hold a family
2 reunion at the Hood house, burn down the house, send no
3 fire units." Mr. Prosecutor -- As far as the prosecutor,
4 Judge, the Prosecutor was made aware of this, the guy who
5 just read me 70 charges. "Clarke County District Attorney
6 Ken Mauldin had no comment and said that he do not want to
7 try the case in the media."

8 Now, I figure this prosecutor is smart enough to
9 read me 70 charges, he should be smart enough to stop
10 people from making death threats. You know, they hollering
11 about, "Oh, the media." Judge, I got the camera in the
12 courtroom. Back in October, 2011 they tried to get the
13 cameras out of the courtroom. The reason why I have these
14 cameras in the courtroom is to stop this corruptness. You
15 understand?

16 You got took off this case, Judge. I can't sit
17 here and blame you about nothing. I can't say nothing bad
18 about you. See, I do research on my case. That's how I --
19 You know, I'm going to do research because this is my life.
20 I know what happened better than anybody. And these
21 people, I think they're trying to intimidate me -- death
22 threats and "Burn the house up because he keep on making
23 these outbursts in court. He's exposing this corruptness
24 we got going on."

25 Judge, the facts are a lawyer been kicked off the

1 case because they telling lies. A judge been kicked off
2 the case. If you read the transcript, Officer Howard's
3 daddy is lying for the judge. They're telling lies.
4 Ninety percent of these people's cases lie and the reason
5 why they want to shut me up is because they're scared.

6 This prosecutor don't want to prosecute this
7 case. These folks don't want to prosecute this case. Why
8 you think they're trying to get the cameras out the
9 courtroom? These people back here, they -- they -- people
10 see, "Hold on. Something ain't right."

11 Judge, go back and look at the transcript of that
12 hearing. Officer Howard's wife clearly stated that Tony
13 Howard said, "I'm sorry." "I'm sorry." Judge, what do a
14 police got to be sorry about if somebody shot him for no
15 reason? I'll get off that. I see it on you.

16 THE COURT: I guess --

17 THE DEFENDANT: I'll get off it. I'll get off of
18 that. I'll get off of that. I see it on you. I'll get
19 off of that.

20 It's just -- It's not good as far as a whole. We
21 ain't living back in the '40s or '50s. People done made
22 this a race case, Judge -- race case. All these comments
23 -- sad. "That's what RPGs are for. Get one out, get
24 within a hundred yards or so, and shoot right through the
25 front door; smoke clears, look for movement, and shoot

1 another one if you see any movement. No muss, no fuss."
2 The prosecutor know about this here -- Mr. Seventy Charges.
3 Then we've got here, "Look like Hood" -- talking about my
4 dad. "Looks like Hood got his head just high enough in his
5 mug shot to put a bullet under his chin. Think he's proud
6 of the scum he put on the street." That really -- that
7 really -- at the end of the day if you really look at it as
8 far as a whole, Judge, that confirms why I did what I did.

9 You know, this boy, the one out there in
10 Colorado --

11 THE COURT: Okay. Mr. Hood, this is not -- I want to
12 hear from you if there are issues --

13 THE DEFENDANT: Okay.

14 THE COURT: -- that I can deal with.

15 THE DEFENDANT: Okay. But --

16 THE COURT: Or --

17 THE DEFENDANT: I thought maybe you were the Judge. I
18 thought maybe you the Judge, you can deal with death
19 threats. They're made on a public site.

20 THE COURT: That is going to be up to law enforcement.

21 THE DEFENDANT: Okay. Okay. I thought you were the
22 Judge. That's why I was telling it to you. Okay. Let me
23 get -- Let me get off that. I'm going to get off of it.

24 THE COURT: All right.

25 THE DEFENDANT: Now I'm fixing to get to the Capital

1 Defender. I'm pretty sure you can deal with this, and I
2 have talked with him about this before.

3 This Capital Defender is obviously working with
4 the prosecutor and corrupt law officials to cover up the
5 truth with my case. I feel that's what they're doing. The
6 reason why I say that, Judge, is because I done seen it.
7 They refuse to give me my full and complete discovery,
8 which is a constitutional violation, and all meetings,
9 scientific -- hold on. I was wrong. Let me go back. They
10 refused to show me video, audio, witness list, all computer
11 printouts, copy of any and all meetings, scientific tests,
12 DNA tests, and other part of my discovery. See the Unified
13 Appeal and the Georgia Criminal Procedures Discovery
14 O.C.G.A. 17-16-1. By the Capital Defender refusing to give
15 me my full and complete discovery, it deprive me of a fair
16 trial because I can't properly prepare my defense for
17 trial. They are hiding evidence from me because they're
18 working against me.

19 Judge, it's been 22 months. I haven't seen no
20 audio, no video. It's my right to see these things. And
21 I'm like, "Why are you hiding these things from me?" What
22 do they got to hide? You see, I want to be lawfully right
23 about my claims, and from O.C.G.A. 17-16-1 and from the
24 Unified Appeal -- It clearly states in the Unified Appeal,
25 sir, that -- It clearly states in the Unified Appeal that

1 -- It says counsel for the Defense shall be instructed to
2 -- outline checklist. "Number 4, Defense counsel shall be
3 reminded of Defendant's option to invoke the provision of
4 Georgia Criminal Procedure Discovery Act, O.C.G.A. 17-16-1.
5 If the Defendant elect to participate in reciprocal
6 discovery" --

7 THE COURT: You don't have to read me that part. I'm
8 aware of it.

9 THE DEFENDANT: Okay. I want to get it for the
10 record. See, not for you. I'm looking out for myself on
11 appeal because I know they're violating me. See, I want to
12 establish the record so if I've got to go to a higher
13 court, if I'm on death row, they'll get me off. My life is
14 at stake here. My image -- I'm not worried about my image
15 or my reputation. That's them -- their image. So it's my
16 right to have these things, and they won't give them to me.

17 Moving on, officials from the Capital Defender
18 office have tried to blackmail me and intimidate me. They
19 said I was child abuse, which was a lie. Put it all in the
20 newspaper. It's not just him. It's the Capital Defender,
21 like last time I told you. It's not just him. It's the
22 whole Capital Defender organization.

23 THE COURT: You have that on the record from the last
24 hearing.

25 THE DEFENDANT: Okay. I just wanted, you know, as far

1 as today -- You know, that was a lie. They even tried to
2 say I was mentally incompetent to stand trial, like he just
3 tried it again. He just tried it again on me. We had two
4 competent people sitting here and call me competent. I'm
5 not trying to hide. If I was low down and dirty, "Oh,
6 yeah, I was child abuse. I'm scared to go to trial here."
7 That wouldn't be fair to that man's family. I ain't never
8 seen that man a day in my life. I'm trying to do the right
9 thing. It's a God awful shame that we've got these corrupt
10 law officials doing this mess.

11 Moving on, they even tried to intimidate me. I
12 had a psychiatrist come see me, Judge. This man told me,
13 "Mr. Hood, you're not scared if you testify against the
14 State that they'll kill you?" "Mr. Hood, you're not
15 scared?" "If you testify against the State, they'll kill
16 you, Mr. Hood."

17 Judge, this is not something I want to do. It's
18 something I'm forced to do. You understand? It's really
19 unfortunate for me to be locked in a cell 23, 24 hours a
20 day. I can't get out to get my own lawyer. I guess they
21 feel like, "Well, we can do him any type way. He need us.
22 We can just run all over him." No, you can't.

23 Moving on, that's the -- I mean -- See, I feel
24 like they don't want me to testify because they're working
25 with these corrupt law officials against me to cover up the

1 truth about my case. They know if I testify, I will expose
2 the lies from the prosecution and these corrupt law
3 officials and the role they played in this cover-up.

4 Judge, I don't feel like you know too much about
5 this case; I don't. You know, I think about you all the
6 time, Judge. You the most powerful man in the courtroom,
7 and you're over my life, so I think about you. You know,
8 the last court hearing I hope you don't feel like I
9 disrespect you as a person, you know, bringing it up, you
10 know. I'm just looking out for myself on a professional
11 level; you understand? Judge, this thing is so serious.
12 It's so serious, Judge, that I don't have a choice but to
13 stand up for the right thing.

14 THE COURT: Let me --

15 THE DEFENDANT: Okay.

16 THE COURT: Let me point out one thing to you, Mr.
17 Hood. You know that -- Your right to testify at the trial
18 is something else we'll go over when the time comes. There
19 will be -- You will be afforded a right to testify if you
20 choose to or not testify. So we'll be talking about that.

21 THE DEFENDANT: Okay. Okay. Move on, then.

22 THE COURT: Yes, sir.

23 THE DEFENDANT: All right. Now, see, I have done some
24 research on Mr. Hamilton, and I have learned that he was
25 suspended and disbarred. See, that's why he was just

1 trying to call me -- you know, make me crazy again. You
2 see that? He was fixing to make me mental health again.
3 Y'all see that?

4 Judge, I'm going to be fair about this. I'm
5 going to give Mr. Hamilton here an opportunity to tell you
6 right now why he was disbarred. If he don't do it, I'll do
7 it.

8 THE COURT: Well, I'm not going to inquire about that.
9 What I'm required to do is to go through the
10 qualifications, and that has been done.

11 THE DEFENDANT: Okay. Okay. Okay. Well, Judge, you
12 know, Mr. Hamilton -- You told them to talk to me, and I'm
13 not fixing to come here and lie on nobody, not nobody. Mr.
14 Hamilton -- I did my research on him, Judge. That's what I
15 do, do my research. I did my research on him, so I asked
16 him about it, instead of, "Oh, Judge, I don't want him." I
17 tried to be fair about this. I done talked to Mr. Hamilton
18 over and over again.

19 Mr. Hamilton told me -- I said, "Were you
20 suspended?" He said, "Yes, sir." I said, "What were you
21 suspended for?" He said he was suspended for drug use.
22 How in the world can I trust a drug addict to be my lawyer
23 in a death sentence trial? See, that's my concern. See,
24 that's why he didn't want me getting on that camera. He
25 wanted to try to make me crazy because he knows what he

1 did. You understand? I mean I'm not comfortable with this
2 guy. I don't know if he's still using the drug or not.
3 This is a death sentence case -- my life. And you talking
4 about you was a drug abuser? I'm not going for it.

5 THE COURT: Well, there may be a motion that you can
6 make in that regard, but he has been determined to be
7 qualified.

8 THE DEFENDANT: Okay. Well, I'm going to move on,
9 then. I'm going to move forward.

10 Judge, I've got health issues. I keep coughing
11 like that. I've been spitting up blood. I've been doing
12 it for the last two years -- spitting up blood. I go to
13 sleep, I wake up, my nose is running. I blow my nose.
14 I've got blood on the tissue. This Barrow County Detention
15 Center, I feel like they retaliation. This Barrow County
16 jail is causing me health problems. The Barrow County jail
17 have me housed in a very cold cell along with unclean air.
18 Remember the gray stuff I showed you? It was pink the
19 first time. It was on one of these records that we have at
20 the Barrow County jail. I was supposed to have got moved
21 or something. I think that's pink insulation. I think
22 these folks are trying to kill me. That's what I feel
23 like, they're trying to kill me. It's wintertime and they
24 got the A/C on me 24 hours a day. I'm spitting up blood.
25 What in the world? I feel like something's wrong with me.

1 I done told these people about this over and over. I done
2 told the Barrow County officials and the Clarke County
3 officials. I feel like these folks are trying to kill me.
4 Anytime you see blood, that ain't good, Judge. Chest hurt,
5 ears hurting, throat hurting.

6 If I tell you about it and you don't do nothing
7 about it, that's what you call deliberate indifference.
8 That's deliberate indifference and cruel and unusual
9 punishment, which is a constitutional violation under the
10 Eighth Amendment and due process clause of the Fourteenth
11 Amendment for pretrial detainees. I'm a pretrial detainee.
12 They've got me locked in a cell 23 and 24 hours a day. I
13 can't fight my case like that. I'm supposed to have access
14 to the same phone privilege and other privileges as other
15 pretrial detainees have.

16 I'm stuck with this Capital Defender. I feel
17 like, "Well, if we put him in a cell all day long, 23, 24
18 hours a day, he can't talk to nobody." As far as normal
19 business hours, from 8 o'clock to 5:00, I might even get 30
20 minutes -- might. How can I call somebody to get me some
21 proper legal -- stuck in a room all day. They've got me
22 set up for failure. Lock him in a room all day, let the
23 prosecutor and these corrupt law officials put all these
24 lies in the newspaper.

25 Judge, I can't wait till I get to trial. I mean

1 if I get my defense straight, I want to get these people a
2 trial this year.

3 Judge, this Tony Howard and this prosecutor, I
4 want them wearing handcuffs when it's over with. They're
5 scared of me. That's why they're using these people here
6 to cover it up. Oh, we -- He's scared. That's why he
7 going to use the attorney. This man ain't probably getting
8 no sleep at night. This man ain't never run across
9 anything like this.

10 THE COURT: All right. We're getting in an area
11 that's just not productive.

12 THE DEFENDANT: Okay. I'm going to move on. Okay.
13 We talked about the cell. Okay. Judge, this says -- I'm a
14 pretrial detainee and I have not been convicted of any
15 charges so I have the right to use normal facility and
16 resource as other pretrial detainee to produce counsel of
17 defendant own choice. That's a case called Walker v.
18 State, 194 Ga. 727, 22 S.E. 2d Edition, 1942. Being locked
19 in a cell 23, 24 hours a day is prejudicing me because it's
20 preventing me from using normal facility and resources
21 along with other pretrial detainees which prevents me from
22 reaching out to my loved ones and society to obtain legal
23 help of my own choice, which is my right.

24 Judge, you got to get me out. You can do it,
25 Judge. You're the Judge. I've got to come out of these

1 conditions. You know, that's why I want to bring it to
2 you. It says -- It also says -- The Barrow County jail
3 officials have denied me proper legal access, such as
4 copying machine, typewriter, legal paper, carbon paper, and
5 standard pens. They've got me writing with some flex pens.
6 They don't last no time. They just come in the room. I
7 try to buy a lot of them because they ain't no good. They
8 just come in my room and took them. I'm sitting there. I
9 can't do nothing.

10 The lack of phone access violates the First and
11 Fourteenth Amendment and the Sixth Amendment right to
12 counsel. I can't talk to a lawyer or get me a lawyer of my
13 own choice, not in a cell 24 hours a day. Judge, it's just
14 -- It's not just the Barrow County jail. All of the
15 officers at the Barrow County jail don't do me like this.
16 I ain't fixing to come here and lie and say all the Barrow
17 County jail is bad, 'cause that's a lie. You've got some
18 that won't even let me talk, Judge. If one of the other
19 inmates talk to me or they see me talking to them, you know
20 what they do to me, Judge? Lock me down. "Oh, y'all can't
21 talk to Jamie Hood." Judge, that's a First Amendment
22 freedom of speech. They can't tell me I can't talk to
23 nobody.

24 My thing, Judge, if -- Captain and them already
25 made it clear that they don't want me in Clarke County.

1 They said they want me in Barrow County. So I'm willing to
2 compromise because it's not everybody. It ain't all the
3 Clarke County. It ain't all the Barrow County. Give me
4 what I supposed -- I don't want no special privileges.
5 Give me bare minimum what I'm supposed to have. Give me
6 what I'm supposed to have. If we get this dirt out of the
7 game, Judge, we can go on and go to trial. So I ask you to
8 please listen to that, Judge, and -- Barrow County jail
9 officials are violating my First and Fourteenth Amendment
10 rights to communicate with the outside world by having me
11 write on postcards. Judge, that's another constitutional
12 violation. Writing on postcards restricts my ability to
13 communicate with my loved ones and society. By limiting my
14 mail to short publically viewable message on a postcard is
15 a violation of my First Amendment to free speech.

16 Judge, I'm writing on a postcard. I've got
17 confidential stuff that I need to talk to my loved ones
18 about. I can't do it on a postcard. I have a high profile
19 capital death sentence case, and you've got me writing on a
20 postcard. You and nobody else don't want their business on
21 no postcard where everybody can look at it. That deprives
22 me of a fair trial. I can't say what I want to say, and
23 they can't say what they want to say.

24 THE COURT: All right. Anything else, Mr. Hood?

25 THE DEFENDANT: Yes, sir, I'm almost finished. I'm

1 almost on the last part. This postcard-only policy forces
2 writing everything on a public and abbreviated form or
3 write nothing at all. It is illegal to restrict the speech
4 of people in jail, and it's equally important to remember
5 that free speech rights work in both ways. The government
6 can't restrict your right to speak to others or restrict
7 the way you receive information. See Hamilton v. Hall,
8 United States District Court, Northern District of Florida.

9 As again, as far as like my mail, the Barrow
10 County jail officials have brought me legal mail without
11 opening it in my presence. I brought you some more
12 evidence. They're sending me faxes out there, Judge. All
13 my legal mail is supposed to be opened in my presence.
14 They're sending me faxes and handing them to me. That's
15 also illegal. It's also prejudice. They read my mail.
16 Then they're going to get an issue toward me and want to
17 lock me down or do something stupid to me.

18 My thing is this prosecutor can come up with 70
19 charges. Can't you get people to do right around here?
20 If you're the prosecutor for the whole city, don't be for a
21 certain group of people, Mr. Prosecutor. That's your job
22 -- the whole entire city.

23 Again, moving forward, the Barrow County jail
24 officials are harassing me out of retaliation of my case.
25 Some of the Barrow County jail officials will lock me down

1 and keep me locked in a cell if anyone talks to me, which
2 is in violation of the First Amendment, freedom of speech.
3 It is illegal to restrict the people in jail. I just told
4 you that. The Barrow County jail also makes me end my
5 phone call early or make me go in my room while I'm on the
6 phone when they bring other people in the dorm.

7 Judge, I can't even come out around nobody. It's
8 like -- It's 12 -- It's 12 rooms in a dorm they've got me
9 on. If I come out and I'm on the phone -- I get 30 minutes
10 free time, 30 minutes here and 30 minutes there. I
11 supposed to get an hour, and sometimes I don't get that.
12 If they bring somebody in the room -- in the dorm, "Mr.
13 Hood, get off the phone." Some of these phone calls are
14 \$10 a call.

15 THE COURT: Let me stop you. Here's what I'm going to
16 suggest, Mr. Hood. If there is a concise motion that you
17 want your attorney to file, get with him and talk to him
18 about it --

19 THE DEFENDANT: Uh -- Uh -- okay.

20 THE COURT: -- with authority --

21 THE DEFENDANT: Judge -- I don't --

22 THE COURT: -- so that I can have something to look
23 at.

24 THE DEFENDANT: I don't want -- At the end of the day
25 I don't want this man representing me. I don't want this

1 Capital Defender representing me.

2 THE COURT: Well, that's --

3 THE DEFENDANT: Hold on, now. No. No.

4 THE COURT: I think we've already addressed that.

5 THE DEFENDANT: The Defendant has a right to proceed
6 without counsel, and the law so clearly states here -- See,
7 that's why I waited to last on that. It clearly states
8 here, Judge, "The State may not force counsel on Defendant.
9 A State may not constitutionally hale a person into a state
10 criminal court and force a lawyer upon that person when
11 that person wants to conduct the person's own defense."
12 Taylor v. Hopper, 596 F.2d 1284, 5th Circuit, 1979. Can't
13 force this man on me. If y'all going to force these folks
14 on me, go on and give me death row. Go on and put the
15 needle in my arm, man.

16 THE COURT: All right. If --

17 THE DEFENDANT: Hold -- no, no.

18 THE COURT: -- there's a -- that's the --

19 THE DEFENDANT: I'm not coming back in this court with
20 these people.

21 THE COURT: That's --

22 THE DEFENDANT: No, no.

23 THE COURT: If you want to file a motion in that
24 regard --

25 THE DEFENDANT: I want to represent myself.

1 THE COURT: -- Mr. Hood, you'll need to do that.

2 THE DEFENDANT: I want to state for the record I want
3 to represent myself. I do not want the Capital Defender
4 representing me no more. I'm not going to -- I'm not going
5 to let you run no more, Mr. District Attorney. You're
6 going to face me head-on from here on out.

7 THE COURT: We're not going to take that up today.

8 THE DEFENDANT: Look. I'm not coming back in this
9 courtroom with these folks. Ain't no need to run no more.
10 Running time is over with. We fixing to play like Nick --

11 THE COURT: The hearing is adjourned. Thank you.

12 THE DEFENDANT: We fixing to play like Nick Saban on
13 the Crimson Tide.

14 DEPUTY: Please remain seated momentarily.

15 THE DEFENDANT: You ain't fixing to force these folks
16 on me. There ain't no hiding no more. I hope y'all see
17 they trying to hide from y'all. I hope y'all see it. I
18 ain't fixing to let you run and tell these lies on me.

19
20 (Proceedings concluded)

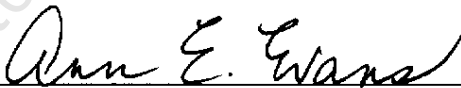
G E O R G I A:

ATHENS-CLARKE COUNTY:

C E R T I F I C A T E

The foregoing proceedings were taken down by me as an Official Court Reporter for the Superior Courts of the Western Judicial Circuit, and the colloquy of counsel and rulings by the Court were reduced to typewriting by me personally. I hereby certify that pages 3 - 80, inclusive, comprise a complete and correct transcript of said proceedings.

This the 30th day of January, 2013.


Ann E. Evans
Official Court Reporter
Western Judicial Circuit
Certificate No. B-958

FILED IN
CLERK'S OFFICE
SUPERIOR/STATE COURT



2012 DEC 17 AM 11:38

Certificate of Compliance for Clarke County
Georgia Jury Composition Rule

BEVERLY LOGAN, CLERK
CLARKE COUNTY, GEORGIA

Phillip D. Hatton
Vice President
Justice Operations
Parking and Justice Solutions

Xerox Services
1733 Harrodsburg Road
Lexington, KY 40504
phil.hatton@acs-inc.com
tel 859-277-8800 x725
fax 859-277-7600

by DOCKET INITIALS

The undersigned authorized signatory of ACS Government Systems, Inc. hereby certifies to the Georgia Supreme Court, the Superior and State Courts of the State of Georgia and the Council of Superior Court Clerks of Georgia that:

- a. This Certification is for:
____ The Statewide Master List as a whole. (If this box is checked sections (c) and (e) do not apply.)
X A single county master list as specified in (c) below. (If this box is checked all sections apply.)
- b. As the provider of jury list data processing services for the State of Georgia pursuant to the "Jury Composition Reform Act of 2011" (Ga. L. 2011, p. 59, §1-16/HB 415) as amended that ACS Government Systems, Inc. has complied with the Jury Composition Rule adopted by the Supreme Court of Georgia on December 8, 2011, as amended, including each of the *Business Rules* stated therein in the preparation of the master jury list and each county master jury list.
- c. The County Master Jury List for Clarke County, Georgia — CLARKE_JURY_061212_SUPPLEMENT.029
X Does
____ Does not
Meet the inclusiveness threshold as specified in the Jury Composition Rule.
- d. List creation year: 2012
- e. County percentage of inclusiveness as certified to the Supreme Court: 100%
- f. In performing such data processing services "Linksolv", a certain third party software product of Strategic Matching, Inc., was employed for certain probabilistic matching segments of such processing. Such product was chosen for use as suggested in the "Report to the Georgia Jury Composition Committee" dated December 1, 2010. ACS Government Systems, Inc. has neither the control of nor made effort to understand the internal calculation processes this software utilizes.

By:

Name: Phillip D. Hatton

Title: Vice President, Justice Practice

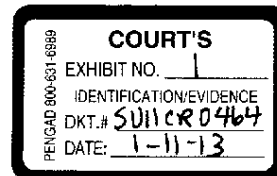
ACS Government Systems, Inc., A Xerox Company
1733 Harrodsburg Road
Lexington, KY 40504-3667

Attest:

Betsy J. Chapley
Notary Public, Kentucky - State at Large

Affix seal and expiration

Betsy J. Chapley
Notary Public
Kentucky - State at Large
My Commission expires Mar. 7, 2014



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