

Courtney M. Dankworth
 (cmdankwo@debevoise.com)
 DEBEVOISE & PLIMPTON LLP
 919 Third Avenue
 New York, New York 10022
 (212) 909-6000

Attorneys for Defendant MySpace, Inc.

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

_____		X
CORY HUBBARD,)	11-cv-00433 (LAK)
)	
Plaintiff,)	ECF Case
)	
vs.)	
)	
MYSPLACE, INC.,)	
)	
Defendant.)	
)	
_____		X

I, Courtney M. Dankworth, hereby declare as follows:

1. I am an attorney admitted to practice in New York. I am a member of the bar of this Court and am associated with Debevoise & Plimpton LLP, the attorneys for defendant MySpace, Inc. (“MySpace”) in this action.
2. I submit this declaration to place before the Court certain documents relevant to MySpace’s motion to dismiss the Complaint under Rule 12(b)(6) of the Federal Rules of Civil Procedure.
3. Attached as Exhibit A is a true and correct certified copy of the public record in the criminal case against the plaintiff, captioned *State of Georgia v. Cory Hubbard*, No. 2008-CR-0159 (Ga. Cherokee Super. Ct. Feb. 11, 2008).

4. Attached as Exhibit B is a true and correct copy of the search warrant issued by the Magistrate Court of Cherokee County, Georgia, on January 29, 2008, as faxed by the Cherokee County Sheriff's Office to the Custodian of Records of Myspace.com on January 29, 2008.

5. Attached as Exhibit C is a true and correct copy of the Complaint in this action, including the Exhibit thereto.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed in New York, New York, on February 11, 2011.

/s/ Courtney M. Dankworth

Courtney M. Dankworth

Exhibit A

State of Georgia



AFFIDAVIT OF CLERK OF COURT

Court of Record:

February 2, 2011

Cherokee Superior Court

Cherokee State Court

Cherokee Juvenile Court

Case Number:

2008-CR-0159

Number of Pages Certified
(excluding Certificate)

129

Description of Document(s) Copied
and Certified:

ENTIRE CASE

I, **Patty Baker**, Clerk of Cherokee Superior Court, State Court, Magistrate Court and Juvenile Court, or the Deputy Clerk specified below, hereby certify that the attached page(s) is/are a true and correct copy of the document(s) enumerated herein, and that said documents were filed in the case indicated above as a part of the official record of this office, of which I am the official custodian, as authorized by Georgia law.

Witness my hand and the official seal of this office on the date written.

Patty Baker

Patty Baker, Clerk



Rhonda M. Hendrix

Rhonda M. Hendrix, Deputy Clerk

ORIGINAL

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

STATE OF GEORGIA

vs.

CORY HUBBARD

Defendant.

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)
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)
)

CASE NO. UNINDICTED

PATTY BAKER, CLERK

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**FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA**

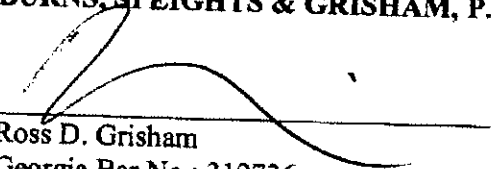
ENTRY

Pursuant to the Uniform Superior Court Rules, the undersigned attorney herein makes an Entry of Appearance as the attorney of record in the above-styled case for and on behalf of the Defendant, Cory Hubbard. The undersigned attorney is aware of the duty imposed by the Uniform Superior Court Rules that any changes in representation, name, address or telephone number will be communicated to the appropriate calendar clerk and to opposing counsel. All notices, notices of Court and papers relevant to this matter shall be sent to:

***Ross D. Grisham, Esquire
Burns, Speights & Grisham, P.C.
150 North Street
Canton, Georgia 30114
(770) 956.1400***

This 11th day of December, 2007.

**Respectfully submitted,
BURNS, SPEIGHTS & GRISHAM, P.C.**



**Ross D. Grisham
Georgia Bar No.: 312736
Attorney for Defendant**

**CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS**

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

CORY HUBBARD

Defendant.

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CASE NO. UNINDICTED

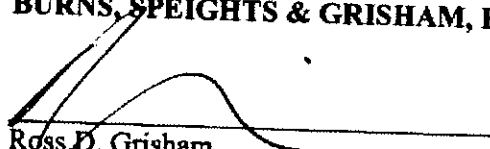
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the Cherokee County District Attorney's Office, by and through counsel, in the foregoing matter with a copy of the Defendant's Entry by delivering a copy via hand delivery, to the following:

*Cherokee County District Attorney's Office
Justice Center, Suite 390
90 North Street
Canton, Georgia 30114*

This 11th day of December, 2007.

BURNS, SPEIGHTS & GRISHAM, P.C.


Ross D. Grisham
Georgia Bar No.: 312736
Attorney for Defendant

CERTIFIED COPY
DECEMBER 11 2007

ORIGINAL

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

**FILED IN OFFICE
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CHEROKEE COUNTY, GA
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STATE OF GEORGIA)
)
vs.) **CASE NO. UNINDICTED**
)
CORY HUBBARD)
)
Defendant.)

DEFENDANT'S CONSOLIDATED DISCOVERY MOTIONS

COMES NOW, Cory Hubbard, the Defendant in the above-styled matter and files these Consolidated Discovery Motions and requests that the prosecuting attorney comply with each of the specific requests for discovery material as detailed below:

NOTICE TO OPT-IN

COMES NOW, Defendant, Cory Hubbard (hereinafter "Defendant") by and through his attorney of record, Ross D. Grisham, in the above-styled matter and provides Notice that she elects to opt-in pursuant to O.C.G.A. § 17-16-1 *et. seq.*

**REQUEST TO INSPECT AND COPY REPORTS OF
EXAMINATIONS AND SCIENTIFIC TESTS**

COMES NOW the Defendant in the above-styled case, after arraignment, and request the prosecuting attorney to permit Defendant, no later than ten (10) days prior to trial, at a time agreed to by the parties or ordered by the Court, "to inspect and copy or photograph any results or reports of physical or mental examinations and of scientific tests or experiments, including a summary of the basis for the expert opinion rendered in the report, or copies thereof...which the state intends to introduce into evidence in the case-in-chief or in rebuttal," pursuant to O.C.G.A. § 17-16-4 (a) (4).

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CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
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PATTY BAKER, CLERK

**DEFENDANT'S REQUEST TO INSPECT, COPY,
PHOTOGRAPH, TEST AND ANALYZE**

COMES NOW the Defendant in the above-styled case, and request the prosecuting attorney to permit Defendant, at a time agreed to by the parties not later than ten (10) days prior to trial, to inspect and copy or photograph books, papers, documents, photographs, tangible objects, audio and visual tapes, films and recordings, or copies or portions thereof and to inspect and photograph buildings or places which are within the possession, custody, or control of the state or prosecution and are intended for use by the prosecuting attorney as evidence in the prosecution's case-in-chief or rebuttal at the trial or were obtained from or belong to the Defendant" and to permit the defense to test and analyze evidence within "the possession, custody, or control of the Forensic Sciences Division of the Georgia Bureau of Investigation or other laboratory" pursuant to O.C.G.A. § 17-16-4 (a) (3).

REQUEST FOR DEFENDANT'S CRIMINAL RECORD

COMES NOW the Defendant in the above-styled case, after arraignment, and request the prosecuting attorney to furnish to the Defendant, not later than ten (10) days prior to trial, a copy of Defendant's Georgia Crime Information Center criminal history, if any, as is within the possession, custody or control of the State of prosecution pursuant to O.C.G.A. § 17-16-4 (a) (2) and pursuant to Georgia's Reciprocal Discovery Statues.

BRADY MOTION

The above-named Defendant, in accordance with the principles of Brady v. Maryland, 373 U.S. 66 (1967), and Giglio v. United States, 305 U.S. 150 (1972), moves this Court to order the prosecution to make inquiry and disclose all information and evidence that may be materially favorable to the Defendant or which may lead to evidence which is materially favorable to the

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Defendant either of a direct or impeaching nature which is in the prosecution's possession, or the existence of which is known, or by the exercise of due diligence could become known to the prosecution. Defendant further moves the Court to require the Prosecuting Attorney(s) for the Blue Ridge Judicial Circuit to produce and have at trial and at any and all non-jury hearings in this case, the information hereafter specified.

The following are specifically requested by the Defendant:

1. Any and all statements allegedly made by the Defendant, whether oral, written, taped, recorded or in whatever form, that the prosecution may introduce into evidence or rely upon at the trial of the case.
2. Any and all written, recorded, or oral statements made by any prospective prosecution witnesses in the case, including police officers and experts. This includes summaries of interviews with such prospective prosecution witnesses. Defendant has included this request because he believes that an examination of such statements or summaries will reveal conflicting or contradictory information which will affect the credibility of the prosecution's witnesses.
3. The total and complete list of all persons interviewed in the entire investigation in this case and the name of the person or persons conducting such interview, together with a copy of the interview or a correct account of same. If more than one interview has been made as to any person, then a copy and result of each interview should be furnished.
4. A meaningful address should be furnished by the State as to all persons interviewed by the authorities in this case so that Defendant might have the opportunity to determine what exculpatory or beneficial evidence each witness might have.
5. Any an all written or recorded statements and all summaries or memorandum of any oral or written statements made by any witness or potential witness in this case to police or

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prosecuting attorneys. Authorities: In the case of Jencks v. United States, 353 U.S. 657, 77 S.Ct. 1007, 1 L.ED.2d 1103 (1957), the U.S. Supreme Court held that the government, upon the defendants' request, had to produce any statements by government witnesses for the defendants to inspect and to possibly use for impeachment. The Court held that all statements, whether apparently contradictory or not, would have to be produced since only the defendants were really in a position to determine the value of the statements to the defense.

6. Any and all tape or electronic recordings, written statements or summaries thereof by any officer or employee of the State, County, Sheriff's, District Attorney's or Solicitor's office with reference to all persons interviewed, whether they are to be called as a witness for the State or not.

7. The criminal record of the Defendant, including but not limited to federal, state, or local arrest records.

8. A complete and detailed list of the criminal records and any summaries thereof of all state's witnesses, whether the State intends to call these witnesses at the trial of the case or not, including any and all charges which may now be pending against them and which have not yet been officially disposed of by plea, trial or otherwise.

9. All records and information revealing prior convictions or guilty verdicts or juvenile adjudications attributed to each witness who may be called by the prosecution, including but not limited to "rap sheets", or federal, state or local arrest records.

10. All records and information revealing prior misconduct or bad acts attributed to any witness.

11. All consideration, or promises of consideration, given to or on the behalf of the witness or expected or hoped for by the witness. By "consideration" Defendant refers to absolutely anything, whether bargained for or not, which arguably could be of value or use to a witness or to

persons of concern to the witness, including but not limited to, formal or informal, direct or indirect, leniency, favorable treatment or recommendations, immunity grants, or other assistance with respect to any pending or potential criminal, parole, probation, pardon, clemency, civil, tax court, court of claims, administrative or other dispute with the State or with any other authority or with any other parties, criminal, civil or tax immunity grants, relief from forfeiture, payments of money, rewards or fees, witness fees or special witness fees, provision of food, clothing, shelter, transportation, legal services or other benefits, assistance to members of witness' family or associates of witness; placement in a "witness protection program," informer status of the witness, or anything else which arguably could reveal an interest, motive or bias in the witness in favor of the prosecution or against the defense, or act as an inducement to testify or to color testimony.

12. a) Any and all threats, express or implied, direct or indirect, or other coercion made or directed against any potential witness; b) any and all criminal prosecutions, investigations, or potential prosecutions pending or which could be brought against any potential witness; c) any and all probationary, parole, deferred prosecution or custodial status of any potential witness, and d) any and all civil, tax court, court of claims, administrative, or other pending or potential legal disputes or transactions with any potential witness or over which any potential witness has real, apparent or perceived influence.

13. Whether any person interviewed in reference to this case or the investigation thereof has in any way or manner directly or indirectly been subjected to any coercion, duress, threats, intimidation, punishment, unequal treatment or discrimination and whether any of such persons have been promised immunity from prosecution, leniency or any form of reward, inducement or offer of help of assistance has been held out, offered or made to him.

14. All other records and/or information which arguably could be helpful or useful to the

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defense in impeaching or otherwise detracting from the probative force or the prosecution's evidence or which arguably could lead to such records or information. This request specifically includes information as to the any potential witness' psychiatric history or "basic mental trouble"; the use of hypnosis or hypnotic age regression; the use of "lie detectors", polygraphs, or psychological stress evaluators; and the use of narcotic or other drugs.

15. The same records and information requested in items 1 through 14 with respect to each non-witness declarant whose statements are offered in evidence.

16. Any and all items seized as a result of any and all searches of the Defendant or of any property in which he had a reasonable expectation of privacy.

17. The existence and identification of each occasion on which a potential prosecution witness has testified before any court, grand jury, or other investigative body, or otherwise narrated the facts of this case.

18. The names, addresses, current telephone numbers, criminal records, and statements or interview reports of those persons who may have some knowledge of the facts of this case but will not testify as witnesses for the prosecution at trial.

19. Any and all statements made by the Defendant to third persons, including investigate agents whose identities were then unknown to the Defendant, which are in the possession of the prosecution or other agencies of the State.

20. The circumstances surrounding the statements referred to in number 19.

21. The names, addressed, current telephone numbers, and criminal records of any informants, special employees, and special investigators used in the investigation of this case, or persons hired, directed, requested, and/or paid by the State to investigate, snoop, or obtain information in any manner whatsoever in the investigation of this case.

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22. A copy of any investigative agencies' departmental rules or regulations to which any informant or special employee was hired, employed or requested to participate in the investigation of this case.
23. The names and classifications of any and all investigative agents, attorneys, or other state or federal employees, who met with, talked to, or who were present at any meeting or discussion held with any informants and/or special employees of the government ("Government" as used herein includes federal, state and local government) during the investigation of the offenses set forth in this Indictment.
24. The results and reports of any scientific or other tests, analyses, experiments or studies made by either the Georgia State Crime Lab or the FBI Crime Lab or any private agency or person, or state official or agency in any manner whatsoever made in connection with this case.
25. Any and all written reports, documents or any physical evidence that is in possession of the State or the prosecution relative to this case or the investigation thereof.
26. A detailed description of all physical items other than documents and pictures which the prosecution anticipates using in the trial of the Defendant and the exact place where and under whose custody such items are being held.
27. Any and all tape recorded conversations or transcripts thereof or other electronically obtained information of whatever kind made in connection with this case.
28. Any and all tape video tapes, film, photographs, or other pictorial depictions and transcripts thereof or other electronically obtained information of whatever kind made in connection with this case.
29. Any and all diagrams, sketches and pictures which have been made by or shown to any witness or prospective witness in the case.

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30. If conversations of the Defendant were subject to surveillance, but were not electronically recorded, please provide any handwritten notes or memoranda, stating the date of the conversation, the parties to the conversation, and the nature of the conversation.

31. Any and all taped or electronically recorded conversations in the possession of the prosecution which may have been made between the Defendant and any third party, together with the times, places, and any purported authorization for making the same. If no electronic recordings exist of such conversations, please provide notes and memoranda in regard to said conversations, including the date of said conversation, the nature of said conversation, and names of all parties to the conversation.

32. Any and all taped or electronic recordings intended to be introduced into the trial of this case.

33. With regard to any surveillance, whether it be electronic, physical, or otherwise, state whether or not such surveillance was consensual, and if so, was it a result of any promise or inducement on the part of any government agency.

34. Enumerate and outline any and all searches and seizures made (whether with or without a search warrant) and specify in detail the times, dates, and places thereof, together with the authority for such searches and tender to defense counsel copies of the search warrants, affidavits in support thereof, the returns and the items seized.

35. Any evidence which the State has, or the existence of which is known to the State, concerning any search and/or seizure made by the State, its agent or employed persons, which would tend to taint or make illegal such searches and/or seizures.

36. All statements, confessions, or admissions made by any un-indicted person in this case, whether or not named in the indictment, written or recorded, or oral statements subsequently

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reduced to writing, made to any government investigative agency, which is in the possession of the prosecution or which by due diligence could be obtained by the prosecution.

37. With regard to the statements referred to in number 25, please state the location, date, and approximate time of each statement, and identify each witness to such statements.

38. With regard to such statements, whether incriminating or otherwise, specifically and in detail, state the circumstances surrounding such statements.

39. Any and all documents, notes, papers, memos, or records made by person or persons who conducted scientific tests on behalf of any law enforcement agency or laboratory in connection with the investigation and preparation of this case, as well as the following:

- (a) The name of all persons who performed or participated in any of the laboratory functions or in the preparation of the above reports;
- (b) All rules, regulations, policy statements, staff manuals, pamphlets, bulletins, or operational guides which are used as instructional guides for the respective sections of the law enforcement agencies with respect to the test performed;
- (c) The names of actual tests or experiments performed in connection with the above laboratory reports and a comprehensive description of the exact steps used in each test or experiment performed;
- (d) Any and all video or photographs pertaining to the tests and/or experiments performed with any logs, records, or reports of the result of said tests or experiments;
- (e) a complete listing of the actual machines, chemical qualitative analysis equipment or other tangible objects used in the performance of each of the tests;
- (f) Any and all books, papers, documents, photographs, records, or copies thereof, in

any way memorializing the government's internal communications relating to or connected with the instructions as to scientific examination and testing.

40. All records, reports, correspondence, photographs, information, statements of any kind, and other documents or copies thereof of all law enforcement agencies pertaining to the investigation of this case.

41. The total and complete investigative files of the Georgia Bureau of Investigation, the Sheriff's office, the District Attorney's or Solicitor's office or any other agency or bureau of the State who may have taken part in any phase of police investigation, together with all correspondence and communications concerning same.

42. The names and present whereabouts of all agents of the Georgia Bureau of Investigation, Sheriff's office, District Attorney's or Solicitor's office, or any Police who may have participated in some way in the investigation of this case.

43. The name, address, current telephone number, and qualifications of any expert witness intended to be called by the prosecution in the trial of this case.

44. Any and all experts analyses and conclusions concerning any records, papers, or documents seized or obtained by the government in connection with its investigation of this case, including but not limited to handwriting exemplars.

45. Any and all tangible objects intended to be introduced into evidence by the prosecution.

46. A copy of all original notes and memoranda (handwritten or otherwise) that may have been made by any and all investigative agents of the government concerning any person who may have been acting in an informer or undercover capacity. If such notes or memoranda were once in existence, but now have been destroyed, the purpose and exact information surrounding their

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destruction should be furnished in complete detail.

47. As to number 46, state in detail whether or not any notes or memoranda made by any government agent have been destroyed and if so answer the following questions with reference thereto:

- (a) The reason for such destruction; and
- (b) Whether or not the same was destroyed on account of an existing governmental policy, federal or state regulations, or for some other reason(s).

48. Furnish the names and addresses of all persons given a promise of immunity by the government in connection with the government's criminal investigation of this case and the dates thereof, regardless of whether such a person will be a witness for the government or not.

49. State whether or not there have been any transmitters or any other type of listening or homing devices used to overhear or monitor conversations between the Defendant and any other parties since his arrest. This request includes the use of such devices by private persons or any government agency.

50. State whether or not any government agent or anyone acting at the direction or behalf of the government (be he designated as an informant, special employee, or otherwise) has talked with or communicated with the Defendant in order to attempt to obtain information or facts from the Defendant pertaining to this case or to the Defendant's defense thereof; and if so, give the name of such agent informant, or special employee together with all other facts and circumstances pertaining thereto.

51. State whether any person in connection with the government's investigation of this case has been given a polygraph examination, and if so, list the names of the persons examined, the name and address of the operator, and the date of the examination, and a copy of the questions and answers

posed, result and interpretation thereof.

52. State whether any person interviewed in connection with the investigation of this case has been given a psychological or psychiatric examination, and if so, list such person, the date of the examination, the examiner and the results thereof.

53. All evidence of transactions or conduct of the Defendant which are not the subject matter of the indictment in this case, which the government might offer as evidence under the question of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

54. The existence and identification of each occasion on which a government informer and/or special employee has testified before any court, grand jury, or other tribunal.

55. Copies of all documents and exhibits presented to the grand jury.

56. The minutes of the Grand Jury proceeding at which the defendant was indicted.

57. Grand Jury transcripts of the testimony of all witnesses appearing before the grand jury. State whether all matters before the grand jury were transcribed, including all comments made by the District Attorney or Solicitor, and any and all grand jurors. If said comments were not transcribed, please explain why.

58. A list of the names and titles of each government employee who was present in the grand jury room during taking of any testimony (other than his own) in the course of the investigation of this case, or who was present during any portion of the grand jury proceedings herein.

59. State whether the charges or legal advice was given by any District Attorney or Solicitor to the grand jury.

60. The number of transcripts of the proceedings before the grand jury in connection with

this case that were prepared by the certified court reporter or other person responsible therefor; the names, address, official capacity, if any, of each person to whom a copy of any part of the transcript of any of the proceedings before the grand jury in this matter was disseminated, together with any orders or other documents purporting to authorize such dissemination and the date, time, and place of each such dissemination.

61. State all types of surveillance used in this case and the dates thereof, including but not limited to binoculars, night scopes, video tapes, tape recordings, electronic surveillance, "bugs", and provide the results of same.

62. State the names of any and all officers, whether federal, state or local, who participated in such surveillance. State the specific days on which said law enforcement officers engaged in surveillance.

63. Specifically list the names of all persons other than the Defendant whom the prosecution considers co-conspirators in this case.

There may be other items and matters of evidence, information and data in existence that are not enumerated aforesaid and of which movant is unaware, due to the secrecy surrounding the investigation, but in any event, movant now requests and demands that he be afforded with any and all evidence and information, whether specifically delineated and listed herein or not, that may be materially favorable to movant in either a direct or impeaching manner or relevant to punishment, which falls within the context of Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.ED.2d 215 (1963). See also United States v. Giglio, 405 U.S. 150, 92 S.Ct. 763, 31 L.ED.2d 104 (1972); More v. Illinois, 408 U.S. 786, 92 S.Ct. 2562, 33 L.ED.2d 706 (1972); Rani v. State, 235 Ga. 60, 218 S.E.2d 811 (1975); Banks v. State, 235 Ga. 121, 218 S.E.2d 851 (1975); Thornton v. State, 238 Ga. 160, 231 S.E.2d 729 (1972); Faringer, 9 Crim.L.Bull., 325 (May 1973); 40 Chi.L.Rev., 112 (Fall,

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1972).

WHEREFORE, the Defendant demands:

- (1) That an evidentiary hearing be held on this motion so that a proper foundation may be laid as to what evidence, information, and data is in possession of the State and prosecution or the existence of which is known to the State and prosecution;
- (2) That the State and prosecution be directed to make such disclosures immediately; and
- (3) That if all items requested are not disclosed, movant requests that all of the State's reports, statements, photographs, files and all other items specified herein should be properly identified, and examined in camera by the Court and that the Court turn over to defense counsel all such material which the Court finds to be favorable to the defendant as to innocence or punishment;
- (4) That movant requests that the Court make photostatic copies of all material viewed by the Court and to have the same be sealed and included in the record of this case for the purpose of insuring effective review of the Court's denial of defendant's previously filed motion for disclosure and availability for appellate review and/or post conviction relief, if necessary; and
- (5) That the duty of the Prosecutor to disclose pursuant to this Motion shall be continuing up until and through the trial.

REQUEST FOR STATEMENTS OF WITNESSES

COMES NOW the Defendant in the above-styled case and requests the prosecuting attorney furnish to the Defendant, no later than ten (10) days prior to trial, copies of any statement of any witness that is in the possession, custody, or control of the State or prosecution that relates to the subject matter concerning the testimony of a witness, that the party in possession, custody, or control

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of the statements intends to call as a witness at trial, pursuant to O.C.G.A. § 17-16-7 and the Georgia Reciprocal Discovery Statute.

MOTION TO FILE ADDITIONAL MOTIONS

The Defendant, by and through the law firm of Burns, Speights & Grisham, P.C., and specifically, Ross D. Grisham, and moves the Court for an Order reserving the right to file such additional motions as the future progress of this case merit.

As grounds for this Motion, Defendant states as follows:

1.

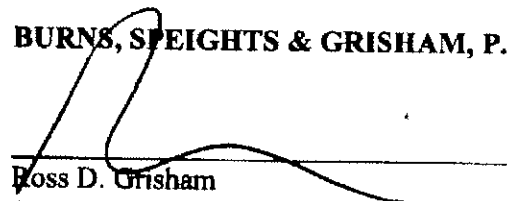
Informal discovery is ongoing and incomplete. Problems of availability, as well as propriety of revealing certain information in the possession of the State, may arise upon which Defendant may be compelled to file formal motions with the Court.

2.

The inordinate complexity of the charges brought by the State against the Defendant compel continuing analysis of materials discovered in process of discovery which may well lead to the necessity of additional substantive motions.

This 11th day of December, 2007.

BURNS, SPEIGHTS & GRISHAM, P.C.


Ross D. Grisham
Georgia Bar No.: 312736
Attorney for Defendant

150 North Street
Canton, Georgia 30114
(770)956-1400

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IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA)
)
 vs.) CASE NO. UNINDICTED
)
 CORY HUBBARD)
)
 Defendant.)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the Cherokee County District Attorney's Office, by and through counsel, in the foregoing matter with a copy of **Defendant's Consolidated Discovery Motions** including the following:

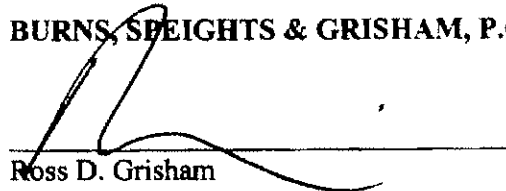
1. Notice to Opt-In;
2. Request to Inspect and Copy of Reports of Examinations and Scientific Tests
3. Defendant's Request to Inspect, Copy, Photograph, Test and Analyze
4. Request for Defendant's Criminal Record
5. Brady Motion;
6. Request for Statements of Witnesses; and
7. Motion Reserving Right to File Additional Motions.

Copies were hand delivered to the following:

*Cherokee County District Attorney's Office
Justice Center, Suite 390
90 North Street
Canton, Georgia 30114*

This 11th day of December, 2007.

BURNS, SPEIGHTS & GRISHAM, P.C.



Ross D. Grisham
Georgia Bar No.: 312736
Attorney for Defendant

IN THE Superior COURT OF CHEROKEE COUNTY P
STATE OF GEORGIA

09654

State of Georgia

vs.

Cory Hubbard
(Defendant)

Case/Warrant #: _____
Charges Cont. to Del of Minor
Enticing Child for Indecent Purposes

DOB: 6/26/76

SS #: _____

_____ Said defendant signed a waiver on _____ designating he/she will hire an attorney _____ or represent themselves.

Upon consideration of the Application for appointment of counsel the above named defendant is found to be indigent/~~not indigent~~ under criteria of the Georgia Indigent Defense Act and appropriate court rules and is/~~is not~~ entitled to have appointed counsel.

Attorney, Ross Grison is appointed to represent the defendant and so shall remain appointed until relieved by order of the Superior Court and thereafter unless and until relieved by order of the Appellate Court. The appointed Attorney shall promptly make contact with the defendant.

The defendant is incarcerated at CCAOC
The defendant resides at the following address pending trial:

4045 Old Pine Rd
Valdosta GA 31605
229) 247-8801

The said attorney is authorized to present to the Court a claim for compensation and reimbursement for expenses of representation reasonably incurred.

Dated this 10 day of Dec, 2007.

[Signature]
Administrator of Indigent Defense or Designee

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2007 DEC 21 AM 11:03
PATTY BAKER, CLERK

ORIGINAL

PATTY BAKER, CLERK
2008 JAN 29 AM 10:27
FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

NORTHWEST GEORGIA REGIONAL HOSPITAL
FORENSIC SERVICES PROGRAM
REFERRAL INFORMATION

- I. TO: Director, Forensic Services Program
Northwest Georgia Regional Hospital
1305 Redmond Circle
Rome, GA 30161
- II. FROM: NAME: Ross Grisham
TITLE: Attorney
- III. REGARDING: NAME: Cory Hubbard DOB: 06-26-76
ADDRESS: 4045 Old Pine Rd., Valdosta, GA 31605
TELEPHONE NUMBER: 229-247-8801
NEAREST RELATIVE: _____
ADDRESS: _____
- IV. INCARCERATED AT: Cherokee Co. ADC

V. The above named individual is being referred for consultation, regarding the question of: (Check appropriate items)

- a. Competency to stand trial.
- b. Responsibility for his actions at the time of alleged offense.
- c. Assistance in disposition.
- d. Other: _____

Observations which have led to this request: _____
Previously prescribed medication following mental health exam and has since stopped taking medication.

VI. DATE REPORT DUE BY: ASAP

VII. PREVIOUS CONVICTIONS (if applicable):

<u>CRIME</u>	<u>DATE</u>
1. _____	_____
2. _____	_____
3. _____	_____

PATTY BAKER
CLERK OF COURTS

VIII. CHARGES: Enticing child for indecent purposes

IX. PREVIOUS MENTAL HEALTH CARE (If applicable): _____

X. OFFICIALS INVOLVED:

TRIAL JUDGE: _____

ATTORNEY: Ross Grisham

COURT APPOINTED: YES / NO

INVESTIGATING OFFICER: _____

PROBATION OFFICER: _____

XI. COURT STATUS (Check the appropriate item):

a. Pending Hearing

b. Pending Trial

c. Already Tried and Sentenced

Sentence: _____

XIII. The undersigned agree to the requested PRE-TRIAL EVALUATION and understand that each party will receive a copy of the report to the court under separate cover:

SIGNED: [Signature] 1-14-08
Judge Date

[Signature] 1-3-08
Defense Attorney Date

[Signature] 1-3-08
District Attorney's Office Date

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

STATE OF GEORGIA : CASE NO. 07-1387
v. COPY HUBBARD : CHARGES: ENTICING A CHILD +
: CONT. TO DEL. OF MINOR

CERTIFICATE OF SERVICE

I hereby certify that I have this date served X Koss Grisham

- By Hand Delivery
- By Mail

with the following:

- Indictment PRE-JUDGMENT DISCOVERY
- List of Witnesses
- Defendant's oral statement of
- Defendant's written statement of
- Written Waiver of Rights, dated
- Intoximeter results of
- Medical reports of
- Lab report dated, Case # _____
- Motions
- Other PAGES 1 THRU 17
4 C.D.'S OF INTERVIEWS + PHOTOS

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 JAN 29 AM 10:54
PATTY BAKER, CLERK

This _____ day of _____, 20_____.

GARRY T. MOSS
District Attorney
Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114
(770) 479-1488

Rick Kelle
District Attorney's Office
Blue Ridge Judicial Circuit

ORIGINAL - CLERK'S FILE
YELLOW - STATE'S FILE
PINK - DEFENDANT'S FILE

GENERAL BILL OF INDICTMENT

GRAND JURY WITNESSES:
(In addition to those named in the body of the
Indictment)

CASE NO. 08-CR-0159
CHEROKEE SUPERIOR COURT
JANUARY TERM, 2008.
THE STATE OF GEORGIA

The Defendant withdraws his/her
plea of not guilty and pleads
GUILTY to count(s) I
on the 28 day of April, 2008.
Defendant Cory Lane Hubbard
Def. Atty. [Signature]
DA/ADA [Signature]

VS.

CORY LANE HUBBARD

True BILL
Feb 11, 2008.
[Signature]
Foreperson

The State moves to Nol Pros for the following
reason: per negotiation

[Signature]
Grand Jury Bailiff

This the 28 day of April, 2008.
District Attorney/Assistant DA

Filed In Office This 13 Day Of
Feb., 2008.

SO ORDERED, this the 28 of April, 2008.
JUDGE, SUPERIOR COURT

[Signature]
PATTY BAKER, Clerk, S.C.

GARRY T. MOSS, District Attorney
SPECIAL PRESENTMENT

The defendant _____
waives copy of indictment,
list of witnesses and pleads,
not guilty. This 12 day of
March, 2008.
[Signature]
Defendant
[Signature]
Attorney for Defendant
[Signature]
ASSISTANT DISTRICT ATTORNEY

The defendant _____
waives copy of indictment,
list of witnesses and pleads,
_____ guilty. This ___ day of
_____, 2008.
Defendant
Attorney for Defendant
ASSISTANT DISTRICT
ATTORNEY

The defendant _____
waives copy of indictment,
list of witnesses and pleads,
_____ guilty. This ___ day of
_____, 2008.
Defendant
Attorney for Defendant
ASSISTANT DISTRICT
ATTORNEY

VERDICT

We, the Jury, find the defendant _____

This is the _____ day of _____, 2008.

Foreperson _____

STATE OF GEORGIA, COUNTY OF CHEROKEE

IN THE SUPERIOR COURT OF CHEROKEE COUNTY

THE GRAND JURORS selected, chosen and sworn for the County of Cherokee, to wit:

1. Byron L. Dobbs, Foreman
2. Linda Susan Ruggiero, Asst. Foreman
3. Wayne Richard Wood, Clerk
4. Peggy Doris Simpson, Asst. Clerk
5. Kevan E. Wallace
6. Gary Michael Allison
7. Sandie E. Storm
8. Susan H. Singleton
9. Shelia McFall Shanks
10. Urba Elsa Satterfield
11. Debbie Adams Cloud
12. Manop Chinratana
13. Judy E. Padgett
14. Eric John Hill
15. Stephen W. Northcutt
16. Sue K. Becker
17. Tammy Lee Cook
18. Yvette Renee Smith
19. Paul William Bertolini
20. Tonya Leigh Halliday
21. Kaye Clifton Coleman
22. Bert Ogletree
23. Roderick Salter Tumlin, Jr.

COUNT 1

IN THE NAME AND BEHALF OF THE CITIZENS OF THE STATE OF GEORGIA, CHARGE AND ACCUSE CORY LANE HUBBARD with the offense of ENTICING A CHILD FOR INDECENT PURPOSES (O.C.G.A. § 16-6-5) for that the said accused on December 01, 2007, in Cherokee County, Georgia, did unlawfully then and there entice and take Nicole Rainey, a child under 16 years of age, to the Days Inn Hotel located at 101 Juniper Street, Canton, Georgia, by picking up Nicole Rainey from her house and driving her to the Days Inn, for the purpose of child molestation and indecent acts, contrary to the laws of this State, the good order, peace and dignity thereof.

CERTIFIED COPY
CORY LANE HUBBARD
12/01/07

STATE OF GEORGIA VS HUBBARD


Page 3 of 3

COUNT 2

AND THE GRAND JURORS AFORESAID, in the name and behalf of the citizens of Georgia, further charge and accuse **CORY LANE HUBBARD** with the offense of **CONTRIBUTING TO DELINQUENCY, UNRULINESS OR DEPRIVATION OF A MINOR (O.C.G.A. SEC. 16-12-1)** for that the said accused on December 01, 2007, in Cherokee County, Georgia, did unlawfully then and there knowingly and willfully encourage, cause, and aid Nicole Rainey, a minor under the age of 17 years, to commit a act which caused the minor to be found to be an unruly child when the accused picked up Nicole Rainey at 12:30 am at her house and took her to a motel without just cause and without her parent's consent, contrary to the laws of this State, the good order, peace and dignity thereof.

GARRY T. MOSS, District Attorney

SPECIAL PRESENTMENT



LARA ASHLEY SNOW
ASSISTANT DISTRICT ATTORNEY

COPIED COPY
CITY BAKER
CLERK OF COURTS

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

STATE OF GEORGIA

VS

CORY LANE HUBBARD

WITNESS LIST

**Custodian of Records
AT & T
P.O. Box 24679
West Palm Beach, Fl 33416-4715**

**Bert Love
CCSO 07-116090
498 Chattin Drive
Canton, GA 30115
678-493-4200**

**Custodian of Records MySpace.Com
407 N. Maple Dr.
Beverly Hills, Ca 90210
888-309-1314**

**Plysh Patel
101 Juniper St.
Canton, GA 30114
770-479-0301**

**Stephen Bush
c/o District Attorneys office
90 North Street
Canton, GA 30114**

**Nicole Rainey
961 Upper Sweetwater Tr.
Canton, GA 30114
770-720-0921**

**Roteasha Franklin
Anna Crawford Children's Cente
824 Santa Fe Trail
Woodstock, GA 30189
770-592-9779**

**Jeanette Vetter
CCSO 07-116090
498 Chattin Drive
Canton, GA 30115
678-493-4200**

**Chris Haffner
CCSO 07-116090
498 Chattin Drive
Canton, GA 30115
678-493-4200**

**Cameron Watson
244 Sutallee Place
White, GA 30184**

**Todd Hicks
CCSO 07-116090
498 Chattin Drive
Canton, GA 30115
678-493-4200**

**Conroy Watson
244 Sutallee Place
White, GA 30184**

**Investigator Rick Keheley
District Attorney's Office
90 N. Street, Suite 390
Canton, GA 30114
770-479-1488**

**Sharon Nichols
Cherokee County 911
150 Chattin Drive
Canton, GA 30115
770-479-3117**

**Jessica Austin-Hashimoto
Cherokee County 911
150 Chattin Drive
Canton, GA 30115
770-479-3117**

**Cindy Hyde
Cherokee County 911
150 Chattin Drive
Canton, GA 30115
770-479-3117**

OFFICE OF THE
DISTRICT ATTORNEY
CHEROKEE COUNTY, GA

Message received at: 12/01/2007 08:15:40 2007 DEC -5 PM 2:34

Return-Path: <tnetssystem@tnet02.gbitnet.local>
Received: from tnet03.GBITNET.local ([192.168.1.100])
by tnet02.GBITNET.local (8.12.11.20060308/8.12.11) with SMTP id 1B1D5ZJW016551
for <ls070@tnet02.GBITNET.local>; Sat, 1 Dec 2007 08:05:36 -0500
Received: from TNET03 ([127.0.0.1])
by tnet03.GBITNET.local
with hMailServer ; Sat, 1 Dec 2007 08:05:17 -0500
Message-ID: <CBB14D30-183B-4382-BB3C-1285A89BED5B@tnet03.GBITNET.local>
Date: Sat, 01 Dec 2007 08:05:17 -0500
From: tnetssystem@tnet02.gbitnet.local
Subject: mid TCN: 0707052974 - GBI Identification Response
To: ls070@tnet02.gbitnet.local
Status: 0

RECEIVED

HUBBARD, COREY LANE
28-06-1978 M 5-08 130 RED
P00027495

TYPE:mid
LSTCN:0707052974
GBITCN:73350655039999
DATE/TIME:2007/12/01 08:05:17
NAME:HUBBARD, COREY LANE
SID:2120189W
OTN:88362569595
OCA:
FBI:520712WA7
IDENT:RECORD ON FILE

12/1/07

m-13

CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

Case # 07-116090

AFFIDAVIT FOR ARREST
(OCGA § 17-4-45)

STATE OF GEORGIA

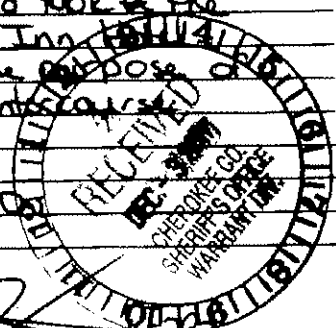
Georgia, Cherokee County.

Personally came Sgt. J. Vetter #290, who on oath says that, to the best of his knowledge and belief, Cory Lane Hubbard did, in Cherokee County, commit the offense of Enticing a Child for Indecent Purposes

the place of occurrence of said offense being 116-6-S
941 Upper Sweetwater Trl White Cherokee Co, Georgia, date: 12-01-07
Approx. Time: 0030 hours, and against: (victim, owner of stolen property, etc.) State of Georgia / Nicole Rainey

Describe offense: (property, value, weapons used, injuries or damages sustained, false or other documents used, vehicles, etc.) Said accused did entice a minor child, to wit: Nicole Rainey (Age 13), for indecent purposes when he solicited, enticed and took the child, under the age of 16, to a place, to wit: The Dawn Inn located at 101 Juniper St, Canton - Cherokee County, Georgia, for the purpose of an indecent act and or Child Molestation, to have sexual intercourse with the child.

Case # 07-116090



And this deponent makes this affidavit that a warrant may issue for his arrest.

Sworn to and subscribed before me this

1st day of Dec, 2007. x Sgt. J. Vetter
Prosecutor, Affiant

[Signature]
Magistrate/Judge

STATE WARRANT FOR ARREST
(OCGA § 17-4-46)

Georgia, Cherokee County.

To any sheriff, deputy sheriff, coroner, constable, or marshal of Georgia GREETINGS:

For sufficient causes made known to me in the above affidavit, you are hereby commanded to arrest the accused named in the foregoing affidavit, charged by the Affiant therein with the offense as described above, against the laws of this State at the time, place and manner named in said affidavit, and bring him before me or some other Judicial officer of this State to be dealt with as the law directs. HEREIN FAIL NOT.

This 1st day of Dec, 2007 [Signature]
Magistrate/Judge

2007 DEC - 6 PM 2:06:00 / 07-10-07 5M/LE/TAO
OFFICE OF THE DISTRICT ATTORNEY
CHEROKEE COUNTY, GEORGIA

STATE OF GEORGIA ARREST WARRANT		No. <u>07-5517FW</u>	
C.O.D.S. MULT WRNTS		WARRANT FOR ARREST	
The State of Georgia		VS	
<u>Hubbard, Cory Lane</u>		Residence <u>4045 Old Pine Rd</u>	
<u>Valdosta, Ga 31605</u>		Phone <u>929-247-8801</u>	
Race/Sex <u>White / male</u>		S.S. # <u> </u>	
D.O.B. <u>062676</u>		OFFENSE	
<u>Enticing a Child for</u>		<u>Indecent Purposes</u>	
OCGA § <u>116-6-S</u>		EXECUTED BY <u>[Signature]</u>	
ARRESTING OFFICER <u>[Signature]</u>		DATE/TIME <u>12-10-07 2:06:00</u>	
BOND SET		B.B.	

PROSECUTOR

Sgt. J. Utter #290 / Det. T. Hicks

Address 498 Chattan Dr

Canton, GA 30115

Phone 678-493-4200

WITNESSES

(OCGA § 17-7-31, 17-7-190)

Grand Jury Summons _____
(DATE)

BOND BY PROSECUTOR

(OCGA § 17-4-43)

It appearing that there are sufficient grounds for the issuance of a warrant, it is however, ordered that the prosecutor/applicant post a Bond in the amount of \$ _____ to prosecute the code in the event of a committal.

This _____ day of _____ 20____.

MAGISTRATE/JUDGE

dismissed/transferred to State Court

The within is hereby _____

for the following reasons with _____ cost:

This _____ day of _____ 20____.

PROS. ATTY.

MAGISTRATE

Min _____ PG. _____

EXAMINATION/BOND NOTICE

(OCGA § 17-4-25, 26 17-6-15, 16)

Georgia, Cherokee County.

After having fully advised defendant of the charges against him, his right to a committal hearing, his right to be represented by an attorney and such other rights as specified by Rule 26.1 of the Uniform Superior/State Court Rules of Georgia, it is hereby ordered that the defendant give bond in the amount of \$ 5,000.00 for his appearance before the Superior Court of Cherokee County on the 17th day of JANUARY This 4th day of December 2007 at 9:00 A.M.

Judge _____
Magistrate J. J. Baker

COMMITMENT

(OCGA § 17-7-23, 17-7-29, 17-7-30)

Georgia, Cherokee County.

After hearing the evidence in the within case it is ordered that said defendant be bound in a bond of _____ DOLLARS for his appearance on the first day at the next term or session next after this day, of the (SUPERIOR/STATE) Court of CHEROKEE COUNTY, GEORGIA to be held in and for said County to answer the charge of _____

In default thereof that he be committed to the Common Jail of said County, there to be safely kept until thence delivered by due course of law.

Given under my hand and seal this _____ day of _____, 20____.

Judge

Magistrate

FILED COPY
J. J. BAKER
CLERK OF COURTS

Case# 07-116090

AFFIDAVIT FOR ARREST
(OCGA § 17-4-45)

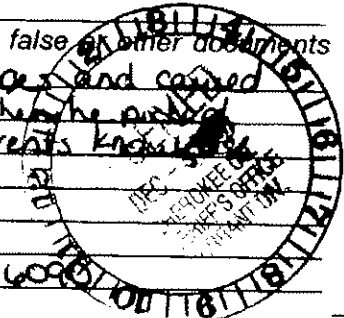
STATE OF GEORGIA

Georgia, Cherokee County.

Personally came Sgt. J. Vetter #290, who on oath says that, to the best of his knowledge and belief, Cory Lane Hubbard did, in Cherokee County, commit the offense of Contributing to Delinquency of a minor
No 121

, the place of occurrence of said offense being 961 Upper Sweetwater Trl., White, Cherokee Co., Georgia, date 11-30-12-01-07
Approx. Time: 0030, and against: (victim, owner of stolen property, etc.) State of Georgia / Nicole Rainey

Describe offense: (property, value, weapons used, injuries or damages sustained, false or other documents used, vehicles, etc.) Said accused knowingly and willfully encouraged and caused a minor, Nicole Rainey (age 13) to commit a delinquent act when he picked her up around 0030 hours at her house without her parents knowledge or permission and took her to a hotel.



Case# 07-116090

And this deponent makes this affidavit that a warrant may issue for his arrest.

Sworn to and subscribed before me this

1st day of Dec, 2007 x Sgt. J. Vetter #290
[Signature] Prosecutor, Affiant
[Signature] Magistrate/Judge

STATE WARRANT FOR ARREST
(OCGA § 17-4-46)

Georgia, Cherokee County.

To any sheriff, deputy sheriff, coroner, constable, or marshal of Georgia GREETINGS:

For sufficient causes made known to me in the above affidavit, you are hereby commanded to arrest the accused named in the foregoing affidavit, charged by the Affiant therein with the offense as described above, against the laws of this State at the time, place and manner named in said affidavit, and bring him before me or some other Judicial officer of this State to be dealt with as the law directs. HEREIN FAIL NOT

This 1st day of Dec, 2007 [Signature]
Magistrate/Judge

RECEIVED
PH 2:34
OFFICE OF THE DISTRICT ATTORNEY
CHEROKEE COUNTY, GA

CASE# 07-116090

STATE OF GEORGIA
ARREST WARRANT

No. 07-5518MW
MULT. WRNTS.

WARRANT FOR ARREST
The State of Georgia
VS

Hubbard, Cory Lane
Residence 4045 Old Pine Rd
Valdosta, Ga 31605
Phone (229) 247-8801

Race/Sex White/Male

S.S.# _____

D.O.B. 062676

OFFENSE
Contributing to Delinquency
of a Minor

OCGA § 16-13-1

EXECUTED BY
Sgt. J. Vetter #290

ARRESTING OFFICER

DATE/TIME 12/01/07 0530

BOND SET

B.B.

CLERK OF COURTS
PATTY BAKER

PROSECUTOR

Sgt. Utter / Det. T. Hicks
Address 498 Chattahoochee Dr
Canton, GA 30115
Phone 678-493-4200

BOND BY PROSECUTOR

(OCGA § 17-4-43)

It appearing that there are sufficient grounds for the issuance of a warrant, it is however, ordered that the prosecutor/applicant post a Bond in the amount of \$ _____ to prosecute the code in the event of a committal.

This _____ day of _____ 20____

MAGISTRATE/JUDGE

dismissed/transferred to State Court

The within is hereby _____

for the following reasons with _____ cost:

This _____ day of _____ 20____

PROS. ATTY.

MAGISTRATE

Min. _____ PG. _____

WITNESSES
(OCGA § 17-7-31, 17-7-190)

Grand Jury Summons _____
(DATE)

EXAMINATION/BOND NOTICE

(OCGA § 17-4-25, 26; 17-6-15, 16)

Georgia, Cherokee County.

After having fully advised defendant of the charges against him, his right to a committal hearing, his right to be represented by an attorney and such other rights as specified by Rule 26.1 of the Uniform Superior/State Court Rules of Georgia, it is hereby ordered that the defendant give bond in the amount of \$ 1,000.00 for his appearance before the Superior

Court of Cherokee County on the 17th day of JANUARY 20⁰⁸ at 9:00 A.M.

This 4th day of December 2007.

Judge _____ Magistrate S. J. A.

COMMITMENT

(OCGA § 17-7-23, 17-7-29, 17-7-30)

Georgia, Cherokee County.

After hearing the evidence in the within case it is ordered that said defendant be bound in a bond of _____ DOLLARS for his appearance on the first day at the next term or session next after this day, of the (SUPERIOR/STATE) Court of CHEROKEE COUNTY, GEORGIA to be held in and for said County to answer the charge of _____

In default thereof that he be committed to the Common Jail of said County, there to be safely kept until thence delivered by due course of law.

Given under my hand and seal this _____ day of _____, 20____.

Judge

Magistrate

COPIED COPY
PAUL BAKER
CLERK OF COURTS

STATE OF GEORGIA
CHEROKEE COUNTY

Case Number: 2008-SU-CR-000159-

Defendant: HUBBARD CORY LANE

Address: CSO

4045 OLD PINE RD
VALDOSTA GA 31605-

Surety:

Charges:

- 1 ENTICING A CHILD FOR INDECENT PURPOSES
- 2 CONTRIBUTE TO DELINQUENCY OF A MINOR -
1ST, 2ND OFFENSE- MISDEMEANOR

Defense Attorney:

GRISHAM ROSS D
150 NORTH STREET
CANTON, GA 30114-

NOTICE

You are hereby notified that the case against the above-named defendant will be called on the 12th day of March, 2008, at 09:00AM in Cherokee County Superior Court in courtroom 2C. The defendant is required to be present for the call of this case.

You have the right to be represented by an attorney. You may be eligible for the appointment of an attorney to represent you, if you are indigent. If you do not have an attorney and believe you are indigent, at your court appearance scheduled by this notice, ask the judge to determine if you are eligible for an appointed attorney.

GEORGIA, CHEROKEE COUNTY

I, the undersigned Clerk of the court named herein, certify that I have on this date mailed to the above-named defendant, defendant's attorney, and bondsperson of record at the address shown above and of record in the above styled case a true and correct copy of the above and foregoing notice by depositing the same in the United States Post Office in an envelope properly addressed and stamped. You are required to be present or the Bond will be forfeited. This is the only notice you will receive.

This the the 21st day of February, 2008



Patty Baker, Clerk of Superior Court

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

NOTICE

From: PATTY BAKER
90 NORTH STREET SUITE G170
CANTON GA 30114-

TO: GRISHAM ROSS D
150 NORTH STREET
CANTON GA 30114-

Home Phone: Work Phone:

You are hereby notified that the case and/or all cases pending against the individual(s) listed below will be called for in the SUPERIOR COURT OF CHEROKEE COUNTY, State of Georgia, on the 12th day of March, 2008 in room 2C.

Defendant's Name	Case Number	Time to Appear
HUBBARD CORY LANE	2008-SU-CR-150-JH	9:00 AM
1 ENTICING A CHILD FOR INDECENT PURPOSES		
2 CONTRIBUTE TO DELINQUENCY OF A MINOR - 1ST, 2ND OFFENSE- MISDEMEANOR		

TIFFED COPY
PATTY BAKER
CLERK OF COURTS

SEXTON & KEY, P.C.

LAWYERS

320 CORPORATE CENTER COURT
STOCKBRIDGE, GEORGIA 30281

Telephone: 770-474-5646 Fax: 770-474-5553

LEE SEXTON
SCOTT KEY

DALE PREISER

March 4, 2008

Honorable Brian Amero
Judge, Henry County Superior Court
One Courthouse Square
McDonough, Georgia 30253

Honorable Christopher C. Edwards
Judge, Fayette County Superior Court
One Center Drive
Fayetteville, Georgia 30214

Honorable N. Jackson Harris
Judge, Cherokee County Superior Court
90 North Street
Suite 260
Canton, Georgia 30114

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR -7 PM 4:49
PATTY BAKER, CLERK

RE: CONFLICT LETTER FOR THE WEEK OF MARCH 10, 2008

TO THE JUDGES OF THE RESPECTIVE COURTS:

Pursuant to the Uniform Superior Court rules, please be advised of a conflict in the scheduling of the trials, hearings, pleas, arraignments, etc., on the cases listed as Exhibit "A", attached hereto.

I will first report to the Honorable Christopher Edwards, Judge, Fayette County Superior Court, on Wednesday, March 12, 2008 at 9:00 a.m.. At the conclusion of the case I will report to all other courts.

I am lead counsel in all actions listed and said matters cannot be adequately handled and the client's interest adequately protected by other counsel.

Respectfully submitted,

Scott Key, with express permission Shonda Wiley
SCOTT KEY
Georgia State Bar No. 416839

Cc: Clerks of the Respective Courts
District Attorney's of Prospective Courts
Prosecutors of the Respective Courts; Opposing Counsel

CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

CONFLICT LETTER
MARCH 4, 2008
FROM: SCOTT KEY
PAGE TWO

EXHIBIT "A"

WEDNESDAY, MARCH 12, 2008

9:00 AM

The Honorable Christopher Edwards
Judges, Fayette County Superior Court
STATE OF GEORGIA VS.
JAMES JASON McELWANEY
Case No. 03R0110
MOTION TO MODIFY REVOCATION
SENTENCE

Scott Ballard
District Attorney, Fayette County
One Center Drive
Fayetteville, Georgia 30214

The Honorable Christopher Edwards
Judges, Fayette County Superior Court
STATE OF GEORGIA VS.
SCOTT SELFE
Case No. 2006R0229
MOTION FOR SUPERSEDEAS BOND

Scott Ballard
District Attorney, Fayette County
One Center Drive
Fayetteville, Georgia 30214

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
KRISITE LYNN BRUCE
Case No. 2007SUCR1181A
ARRAIGNMENT

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
CARLTON CREEKMORE
Case No. 2008SUCR152A
ARRAIGNMENT

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

The Honorable N. Jackson Harris
Judge, Cherokee County Superior Court
STATE OF GEORGIA VS.
CORY HUBBARD
Case No. 2008CR159
ARRAIGNMENT

Garry Moss
District Attorney, Cherokee County
90 North Street
Suite 390
Canton, Georgia 30114

CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

CONFLICT LETTER
MARCH 4, 2008
FROM: SCOTT KEY
PAGE THREE

THURSDAY, MARCH 13, 2008

9:00 AM

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
ROBERT EUGENE WELLS
Case No.2007SUCR1067A
CALENDAR CALL

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

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CLERK OF COURT

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

2008 MAR -7 PM 3:09

PATTY BAKER, CLERK


IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA, * CRIMINAL ACTION
vs. *
CORY HUBBARD * CASE NO. 08CR159

ENTRY OF APPEARANCE

Comes now the defendant in the above-styled matter, and names as attorney of record, SCOTT KEY, Sexton & Key, P.C., 320 Corporate Center Court, Stockbridge, Georgia 30281, and shows that said attorney has been authorized to act on behalf of this defendant, and moves that the Clerk enter the name of said attorney upon the docket as attorney of record.

This 28th day of February, 2008.

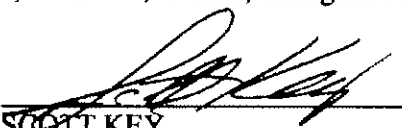

SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
(770) 474-5646

CERTIFICATE OF SERVICE

This is to certify that I have this date served opposing counsel with a true and correct copy of the within and foregoing ENTRY OF APPEARANCE by depositing a copy of same in the U. S. Mail, bearing sufficient postage thereon, properly addressed to: District Attorney, Cherokee County Cherokee County Justice Center, 90 North Street, Suite 390, Canton, Georgia 30114.

This the 28th day of February, 2008.


SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

CERTIFIED COPY
PATTY BAKER
CLERK OF COURT

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

* CRIMINAL ACTION

vs.

*

CORY HUBBARD


* CASE NO. 08CR159

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
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PATTY BAKER, CLERK

**NOTICE OF DEFENDANT'S ELECTION TO
PROCEED UNDER O.C.G.A. 17-16-1, ET SEQ.**

Defendant in the above-styled action hereby provides written notice, pursuant to O.C.G.A. 17-6-2(a), that defendant elects to have the provisions of O.C.G.A. 17-16-1 et seq., apply to this case.

Respectfully submitted,



SCOTT KEY

Georgia Bar Number 416839

Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
PATTY BAKER

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IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

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CORY HUBBARD * CASE NO. 08CR159

**REQUESTS BY DEFENDANT FOR
PRODUCTION OF DISCOVERABLE MATERIAL**

Defendant in the above-styled action, having elected to have the provisions of O.C.G.A. 17-16-1 et seq., apply to defendant's case, hereby requests in writing that the State disclose to the defense or produce to the defense for inspection, copying, photographing, examination, testing or analysis, as required by O.C.G.A. 17-16-4(a), all materials, items, buildings, places, or information described in O.C.G.A. 17-16-4(a).

Respectfully submitted,



SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

08/03/08

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

* CRIMINAL ACTION

vs.

*

CORY HUBBARD

* CASE NO. 08CR159

PATY BAKER, CLERK


2008 MAR -7 PM 3:09

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

DEFENDANT'S REQUEST FOR INFORMATION
DESCRIBED IN O.C.G.A. 17-16-8

Defendant in the above-styled case hereby requests in writing that the State furnish to counsel for defendant all information required to be disclosed under O.C.G.A. 17-16-8. The defendant makes this request also under the provisions of Article 1, Section 1, Paragraph 14 of the Georgia Constitution.

Respectfully submitted,



SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

CEP/11/10
PATTY BAKER
CLERK OF SUPERIOR COURT

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

CORY HUBBARD

* CRIMINAL ACTION

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* CASE NO. 08CR159

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR - 7 PM 3: 09
PATTY BAKER, CLERK

**MOTION FOR PRETRIAL DISCLOSURE OF EVIDENCE OF
INDEPENDENT AND SEPARATE OFFENSES, WRONGS OR ACTS**

The defendant moves this Court to order the prosecution to disclose immediately all evidence of independent and separate offenses, wrongs or acts which the prosecution may attempt to introduce at trial to show motive, opportunity, intent, preparation, plan, knowledge, identity or absence of mistake or accident regarding defendant's actions or conduct, including any evidence to be offered as alleged "prior difficulties" between the defendant and the alleged victim. See, Uniform Superior Court Rules 31.1 and 31.3; Maxwell v. State, 262 Ga. 72 (2) (1992).

Respectfully submitted,



SCOTT KEY

Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

2008 MAR 7
PATTY BAKER
CLERK OF COURTS

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

CORY HUBBARD

* CRIMINAL ACTION

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* CASE NO. 08CR159

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR -7 PM 3:09
PATTY BAKER, CLERK

**MOTION FOR DISCOVERY, INSPECTION, PRODUCTION AND
COPYING OF EVIDENCE FAVORABLE TO THE ACCUSED AND
IN CAMERA INSPECTION WITH INCORPORATED AUTHORITY**

The defendant respectfully moves this Court, pursuant to the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, and Article 1, Section 1, Paragraphs 1, 11, and 14 of the Georgia Constitution, as construed and applied in the case of Brady v. Maryland, 373 U.S. 83 (1970) and its progeny including, Giles v. Maryland, 386 U.S. 66 (1967); Giglio v., United States, 405 U.S. 105 (1972); and, Hicks v. State, 232 Ga. 393 (1974), to order the District Attorney to permit defense counsel to inspect and copy all evidence in the possession and control of the State which may be favorable to the defendant and material to the issues of guilt or punishment or could reasonably weaken or affect any evidence proposed to be introduced against the defendant at trial or at sentencing. The evidence sought is to include, but not be limited to:

1.

All evidence, including statement of individuals, physical evidence or test results indicating or tending to indicate that the defendant is not guilty of the offense charged or mitigating on the issue of sentence.

2.

All statements of any witness which contradict in any way the statements of other witnesses or which contradict other statement(s) made by that witness.

CLERK OF SUPERIOR COURT
PATTY BAKER
CLERK OF COURTS

3.

All reports, memoranda or other information in possession of the State which contain information exculpatory, helpful, favorable, or arguably favorable to the defendant on guilt or innocence or as to sentence.

4.

The criminal records and any lists or summary reflecting criminal records of all persons whom the State intends to call as witnesses in the trial of the defendant or at sentencing.

5.

Memoranda, documents or reports of any scientific tests or experiments or studies made in connection with the above-styled case, including any polygraph examinations of any witness, which may be arguably favorable to the defense.

6.

All material now known to the State or which may become known which is exculpatory in nature or favorable to the accused or which may lead to exculpatory material. This request includes reports of any investigations conducted by the State, or its agents, if individuals other than the defendant.

7.

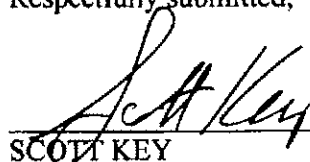
The State is required to reveal to the defense not only information "in its file", but should also be ordered to make inquiry of all law enforcement or other agencies involved in this prosecution and to require those agencies to review their files and to provide to the prosecution any information arguably favorable to the defendant, including information specifically described above. See, e.g., Pennsylvania v. Ritchie, 480 U.S. 54, 57-61 (1987) (In child molestation case Brady required disclosure of favorable information in the files of the Pennsylvania Children and Youth Services Agency); Freeman v. Georgia, 599 F. 2d 64, 69 (5th Cir., 1975) (State held accountable for information known only to investigating police detective); Brown v. State, 261 Ga. 66, 401 S.E. 2d 492 (1992); Issacs v. State, 259 Ga. 717, 386 S.E. 2d 316 (1989).

8.

The State may well provide to the defense its complete file, including everything requested herein. If not, the defendant does not wish to entrust to the prosecution the unilateral power to ascertain, from its perspective as an advocate, which information is exculpatory and which is not. Accordingly, should the State not provide to the defense for inspection its entire file, the defendant insists on the Court conducting an in camera review of the State's file to identify and isolate information to which the defendant is constitutionally entitled. Tribble v. State, 248 Ga. 274, 275 (1981); Osborn v. State, 161 Ga. App. 132, 137(5) (1982).

WHEREFORE, the defendant respectfully prays this Motion be granted.

Respectfully submitted,



SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

CORY HUBBARD

* CRIMINAL ACTION

*

* CASE NO. 08CR159

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR -7 PM 3:09
PATTY BAKER, CLERK

**DEFENDANT'S OBJECTION TO WAIVER OF CRIME LAB
PERSON'S PRESENCE AT TRIAL**

Comes Now the Defendant above-named and specifically objects, ten (10) days prior to trial, to use of any crime lab report without the presence of the person who produced the report. This objection contemplates that the person testing the actual substances must be present at trial so as to be cross-examined and confronted by the defendant herein.

Respectfully submitted,



SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

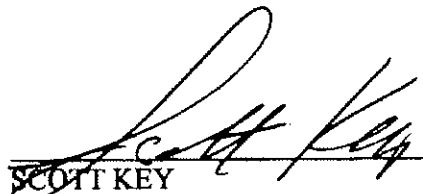
DEPT. FILED COPY
PATTY BAKER
CLERK OF COURTS

CERTIFICATE OF SERVICE

This is to certify that I have this date served the District Attorney of Henry County, Georgia, with a true and correct copy of the within and foregoing NOTICE OF DEFENDANT'S ELECTION TO PROCEED UNDER O.C.G.A. 17-16-1 ET SEQ.; REQUESTS BY DEFENDANT FOR PRODUCTION OF DISCOVERABLE MATERIAL; DEFENDANT'S REQUEST FOR INFORMATION DESCRIBED IN O.C.G.A. 17-16-8; MOTION FOR PRETRIAL DISCLOSURE OF EVIDENCE OF INDEPENDENT AND SEPARATE OFFENSES, WRONGS, OR ACTS; and, MOTION FOR DISCOVERY, INSPECTION, PRODUCTION, AND COPYING OF EVIDENCE FAVORABLE TO THE ACCUSED AND IN-CAMERA INSPECTION WITH INCORPORATED AUTHORITY; DEFENDANT'S OBJECTION TO WAIVER OF CRIME LAB PERSON'S PRESENCE AT TRIAL , by depositing a copy of same in the U.S. Mail, bearing sufficient postage thereon, properly addressed as follows:

District Attorney, Cherokee County
Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114

This 28th day of February, 2008.


SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

CRIMINAL ACTION

vs.

CORY HUBBARD

CASE NO. 08CR159

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR -7 PM 3:08
PATY BAKER, CLERK
LB

SUBSTITUTION OF COUNSEL

By affixing their signatures hereto, the undersigned agree and consent to the withdrawal of Defendant's present counsel of record, Mr. Ross Grisham and the substitution of Mr. Scott Key, as lead counsel for Defendant. All further notices and correspondence should be directed to attention of Mr. Scott Key, Attorney at Law, P. O. Box 2696, McDonough, Georgia 30253.

Respectfully submitted this 22nd day of February, 2008.

<i>Ross Grisham, with</i>	<i>Scott Key</i>
Mr. Ross Grisham <i>express</i>	Mr. Scott Key
Previous Attorney <i>permission</i>	Current Attorney
Georgia Bar No. 312736 <i>Shonda</i>	Georgia Bar No. 41683 ⁹
<i>Defay</i>	
150 North Street	320 Corporate Center Court
Canton, GA 30114	Stockbridge, Georgia 30281
(770) 956-1400	(770)474-5646

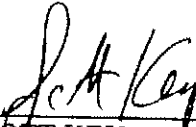
CLERK OF COURT
PATY BAKER
CLERK OF COURT

CERTIFICATE OF SERVICE

This is to certify that I have this date served the Opposing Party with a true and correct copy of the within and foregoing SUBSTITUTION OF COUNSEL by delivering a copy of same through the U.S. Mail to them at:

Mr. Ross Grisham
150 North Street
Canton, GA 30114

This the 22nd day of February, 2008.



SCOTT KEY,
Ga. Bar No. 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
(770) 474-5646

CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

FEB-22-2008 11:26 FROM: SEXTON & KEY PC

7704745646

TO: 7709561404

P. 1

SEXTON & KEY, P.C.

LEE SEXTON
SCOTT KEY
DALE PREISER



320 Corporate Center Court
Stockbridge, Georgia 30281
Phone (770) 474-5646
Fax (770) 474-5553

NAME: Cass Graham

ORGANIZATION: _____

FAX: (770) 956-1404

PHONE: (770) 956-1400

FROM: Shanda Debus

DATE: 02-22-08

SUBJECT: Cory Hubbard

PAGES: 3

WITH COVERSHEET

COMMENTS: Please pay back w/ permissions to sign name.

CONFIDENTIALITY NOTICE: THE DOCUMENTS ACCOMPANYING THIS TELECOPY TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION THAT IS LEGALLY PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE.

IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE THE RETURN OF THE ORIGINAL DOCUMENTS TO US; AND YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS TELECOPIED INFORMATION IS STRICTLY PROHIBITED.

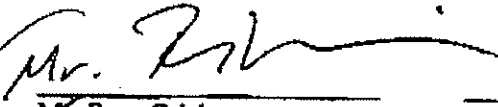
IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,	:	CRIMINAL ACTION
vs.	:	
CORY HUBBARD	:	CASE NO. 08CR159

SUBSTITUTION OF COUNSEL

By affixing their signatures hereto, the undersigned agree and consent to the withdrawal of Defendant's present counsel of record, Mr. Ross Grisham and the substitution of Mr. Scott Key, as lead counsel for Defendant. All further notices and correspondence should be directed to attention of Mr. Scott Key, Attorney at Law, P. O. Box 2696, McDonough, Georgia 30253.

Respectfully submitted this 22nd day of February, 2008.



Ms. Ross Grisham
Previous Attorney
Georgia Bar No. 312736

150 North Street
Canton, GA 30114
(770) 956-1400

Mr. Scott Key
Current Attorney
Georgia Bar No. 416835

320 Corporate Center Court
Stockbridge, Georgia 30281
(770)474-5646

→ You have my permission
to sign on my behalf.
Also, call me if I can
provide any further assistance.

SEXTON & KEY, P.C.

LAWYERS

320 CORPORATE CENTER COURT
STOCKBRIDGE, GEORGIA 30281
Telephone: 770-474-5646 Fax: 770-474-5553

LEE SEXTON
SCOTT KEY

DALE PREISER

February 28, 2008

Patty Baker
Clerk, Cherokee County Superior Court
90 North Street, Suite G170
Canton, Georgia 30114

RE: State of Georgia vs. Cory Hubbard
Case No. 08CR159

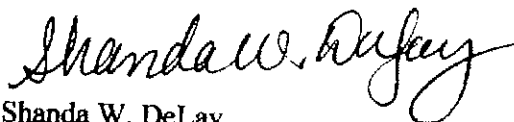
Dear Ms. Baker,

Enclosed please find for filing a Substitution of Counsel, Entry of Appearance and Motion for Discovery in the above-referenced matter.

By way of mail I am copying the District Attorney's Office of Cherokee County, Georgia, and Ross Grisham the previous attorney.

Your assistance in this matter is greatly appreciated. With kindest regards, I remain,

Respectfully yours,



Shanda W. DeLay
Secretary to Scott Key

/swd

Enclosures

Cc: District Attorney's Office of Cherokee County
Ross Grisham, previous attorney

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CHEROKEE COUNTY
PATTY BAKER
CLERK OF COURTS

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

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CORY HUBBARD


* CASE NO. 08CR159

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CHEROKEE COUNTY, GA
2008 MAR -7 PM 3:09
PATY BAKER, CLERK
SB

ENTRY OF APPEARANCE

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This 28th day of February, 2008.

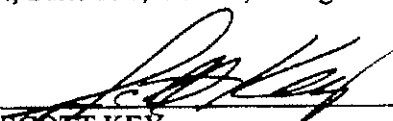

SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
(770) 474-5646

CERTIFICATE OF SERVICE

This is to certify that I have this date served opposing counsel with a true and correct copy of the within and foregoing ENTRY OF APPEARANCE by depositing a copy of same in the U. S. Mail, bearing sufficient postage thereon, properly addressed to: District Attorney, Cherokee County Cherokee County Justice Center, 90 North Street, Suite 390, Canton, Georgia 30114.

This the 28th day of February, 2008.


SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

CERTIFICATE OF SERVICE
DATE: 2/28/08
CLERK OF COURTS

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

* CRIMINAL ACTION

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CORY HUBBARD

* CASE NO. 08CR159

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Respectfully submitted,



SCOTT KEY

Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
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Phone: (770) 474-5646
Fax: (770) 474-5553

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PATTY BAKER, CLERK

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CHEROKEE COUNTY, GA

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PATTY BAKER, CLERK

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
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Respectfully submitted,



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Georgia Bar Number 416839
Attorney for Defendant

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320 Corporate Center Court
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Fax: (770) 474-5553

OFFICE OF THE CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
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Respectfully submitted,



SCOTT KEY

Georgia Bar Number 416839

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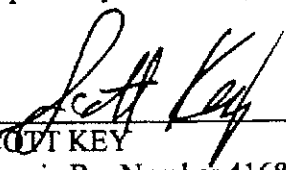
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Respectfully submitted,



SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

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CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR 10 PM 5:15

3.

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CLERK OF COURTS

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

* CRIMINAL ACTION

vs.

*

CORY HUBBARD

* CASE NO. 08CR159

PATTY BAKER, CLERK

2008 MAR -7 PM 3:09

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

**MOTION FOR DISCOVERY, INSPECTION, PRODUCTION AND
COPYING OF EVIDENCE FAVORABLE TO THE ACCUSED AND
IN CAMERA INSPECTION WITH INCORPORATED AUTHORITY**

The defendant respectfully moves this Court, pursuant to the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, and Article 1, Section 1, Paragraphs 1, 11, and 14 of the Georgia Constitution, as construed and applied in the case of Brady v. Maryland, 373 U.S. 83 (1970) and its progeny including, Giles v. Maryland, 386 U.S. 66 (1967); Giglio v., United States, 405 U.S. 105 (1972); and, Hicks v. State, 232 Ga. 393 (1974), to order the District Attorney to permit defense counsel to inspect and copy all evidence in the possession and control of the State which may be favorable to the defendant and material to the issues of guilt or punishment or could reasonably weaken or affect any evidence proposed to be introduced against the defendant at trial or at sentencing. The evidence sought is to include, but not be limited to:

1.

All evidence, including statement of individuals, physical evidence or test results indicating or tending to indicate that the defendant is not guilty of the offense charged or mitigating on the issue of sentence.

2.

All statements of any witness which contradict in any way the statements of other witnesses or which contradict other statement(s) made by that witness.

CLERK OF COURTS

8.

The State may well provide to the defense its complete file, including everything requested herein. If not, the defendant does not wish to entrust to the prosecution the unilateral power to ascertain, from its perspective as an advocate, which information is exculpatory and which is not. Accordingly, should the State not provide to the defense for inspection its entire file, the defendant insists on the Court conducting as in camera review of the State's file to identify and isolate information to which the defendant is constitutionally entitled. Tribble v. State, 248 Ga. 274, 275 (1981); Osborn v. State, 161 Ga. App. 132, 137(5) (1982).

WHEREFORE, the defendant respectfully prays this Motion be granted.

Respectfully submitted,



SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

vs.

CORY HUBBARD

* CRIMINAL ACTION

*

* CASE NO. 08CR159

PATTY BAKER, CLERK

2008 MAR -7 PM 3: 09

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

**DEFENDANT'S OBJECTION TO WAIVER OF CRIME LAB
PERSON'S PRESENCE AT TRIAL**

Comes Now the Defendant above-named and specifically objects, ten (10) days prior to trial, to use of any crime lab report without the presence of the person who produced the report. This objection contemplates that the person testing the actual substances must be present at trial so as to be cross-examined and confronted by the defendant herein.

Respectfully submitted,



SCOTT KEY

Georgia Bar Number 416839

Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553


2008 MAR 7 PM 3:09
CLERK OF COURTS

CERTIFICATE OF SERVICE

This is to certify that I have this date served the District Attorney of Henry County, Georgia, with a true and correct copy of the within and foregoing NOTICE OF DEFENDANT'S ELECTION TO PROCEED UNDER O.C.G.A. 17-16-1 ET SEQ.; REQUESTS BY DEFENDANT FOR PRODUCTION OF DISCOVERABLE MATERIAL; DEFENDANT'S REQUEST FOR INFORMATION DESCRIBED IN O.C.G.A. 17-16-8; MOTION FOR PRETRIAL DISCLOSURE OF EVIDENCE OF INDEPENDENT AND SEPARATE OFFENSES, WRONGS, OR ACTS; and, MOTION FOR DISCOVERY, INSPECTION, PRODUCTION, AND COPYING OF EVIDENCE FAVORABLE TO THE ACCUSED AND IN-CAMERA INSPECTION WITH INCORPORATED AUTHORITY; DEFENDANT'S OBJECTION TO WAIVER OF CRIME LAB PERSON'S PRESENCE AT TRIAL , by depositing a copy of same in the U.S. Mail, bearing sufficient postage thereon, properly addressed as follows:

District Attorney, Cherokee County
Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114

This 28th day of February, 2008.



SCOTT KEY
Georgia Bar Number 416839
Attorney for Defendant

SEXTON & KEY, P.C.
320 Corporate Center Court
Stockbridge, Georgia 30281
Phone: (770) 474-5646
Fax: (770) 474-5553

CLERK OF COURTS

GENERAL BILL OF INDICTMENT

GRAND JURY WITNESSES:
(In addition to those named in the body of the
Indictment)

CASE NO. 08-02-0159
CHEROKEE SUPERIOR COURT
JANUARY TERM, 2008.
THE STATE OF GEORGIA

VS.

CORY LANE HUBBARD

True BILL
Feb 11, 2008.
[Signature]
Foreperson

[Signature]
Grand Jury Bailiff

Filed In Office This 13 Day Of
Feb., 2008.

[Signature]
PATTY BAKER, Clerk, S.C.

GARRY T. MOSS, District Attorney
SPECIAL PRESENTMENT

The defendant _____
waives copy of indictment,
list of witnesses and pleads,
not guilty. This 12 day of
March, 2008.

[Signature]
Defendant
[Signature]
Attorney for Defendant
[Signature]
ASSISTANT DISTRICT ATTORNEY

The defendant _____
waives copy of indictment,
list of witnesses and pleads,
_____ guilty. This _____ day of
_____, 2008.

Defendant
Attorney for Defendant
ASSISTANT DISTRICT
ATTORNEY

The defendant _____
waives copy of indictment,
list of witnesses and pleads,
_____ guilty. This _____ day of
_____, 2008.

Defendant
Attorney for Defendant
ASSISTANT DISTRICT
ATTORNEY

VERDICT

We, the Jury, find the defendant _____

This is the _____ day of _____, 2008.

Foreperson _____

CLERK OF COURTS

OFFICE OF THE DISTRICT ATTORNEY
BLUE RIDGE JUDICIAL CIRCUIT

GARRY T. MOSS
District Attorney



Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114
Phone 770-479-1488
Fax 770-479-3105

March 24, 2008

J. Scott Key
PO Box 2696
70 Macon Street
McDonough, GA 30253

RE: State vs. **CORY HUBBARD** Indictment No. 08CR0159

Dear Mr. Key:

Pursuant to your request for discovery under O.C.G.A. § 17-16-1, et seq., a copy of the indictment and witness list are attached. The State will make its entire file available to you.

Contact my investigator, Rick Keheley, at (678) 493-6307, to set up a date and time to view our file. You may copy any information you need at the rate of \$.25 per page, if retained (check or correct change only, please). If you provide blank audio/video tapes to my investigator she will make copies for you.

Sincerely,

Lara Ashley Snow
Lara Ashley Snow
Assistant District Attorney
Blue Ridge Judicial Circuit

cc: Clerk of Superior Court

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR 24 PM 3:42
PATTY BAKER, CLERK

CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

FILED FOR SERVICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR 24 PM 3:42
PATTY BAKER, CLERK

STATE OF GEORGIA

vs.

CORY HUBBARD

*
*
*
*

INDICTMENT NO:

08R0159

STATE'S DEMAND FOR DISCOVERY

Comes now the State pursuant to O.C.G.A. §17-16-1, et. seq., as Defendant has filed a notice of intent to opt in under the discovery statute, and demands from the defendant the following:

1. A list of witnesses, including the names, current locations, dates of birth and telephone numbers;
2. That the defendant supply for inspection, photographing and photocopying, all documentary and tangible evidence in the possession or control of the defendant, which the defendant intends to introduce in its case-in-chief or in rebuttal;
3. The reports of all physical or mental examinations and of scientific tests or experiments including the summary of the basis for the expert opinion rendered in the report, if the defendant intends to introduce results in the case-in-chief or in rebuttal;
4. Any and all statements of any witness in the possession and control of the defendant or defendant's counsel that relate to the subject matter concerning the testimony of the witness that the defendant intends to call at trial or at any pre-trial evidentiary hearing; and
5. Any and all other items as required pursuant to said statute.

This 25th day of March, 2008.

Lara Ashley Snow
LARA ASHLEY SNOW
Assistant District Attorney
Blue Ridge Judicial Circuit

08 MAR 24 2008

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 MAR 24 PM 3:42
PATTY BAKER, CLERK

STATE OF GEORGIA

vs.

CORY HUBBARD

*
*
*
*

INDICTMENT NO.

08R0159

DEMAND FOR NOTICE OF ALIBI AND LIST OF ALIBI WITNESSES

Comes now the State pursuant to O.C.G.A. §17-16-5(a) and demands that the defendant supply the State with written notice of (1) its intention to offer evidence of an alibi, including the location of the specific place or places at which the defendant claims to have been at the time of the offense and (2) the name, address, date of birth, and telephone number of any and all witnesses the defendant intends to rely upon to establish an alibi.

In this regard, the State notifies the defendant of the following:

- 1) Time of offense: SEE ATTACHED
- 2) Date of offense: SEE ATTACHED
- 3) Location of offense: SEE ATTACHED

This 25th day of March, 2008.

Lara Ashley Snow
LARA ASHLEY SNOW
Assistant District Attorney
Blue Ridge Judicial Circuit

CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

IN THE SUPERIOR COURT OF CHEROKEE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

vs.

CORY HUBBARD

*
*
*
*

INDICTMENT NO:

08R0159

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing STATE'S DEMAND FOR DISCOVERY and DEMAND FOR NOTICE OF ALIBI AND LIST OF WITNESSES has been mailed to:

J. Scott Key
PO Box 2696
70 Macon Street
McDonough, GA 30253

This 25th day of March, 2008.

Lara Ashley Snow
LARA ASHLEY SNOW
Assistant District Attorney
Blue Ridge Judicial Circuit

SUPERIOR COURT
CHEROKEE COUNTY, GEORGIA
DATE March 15 2008

April 18 2008

BAIL BOND

STATE

08CR0159(?) CAS ✓

AMOUNT 6600

TICKET/WARRANT NO. 07-5517FW
07-5518MW

CHARGES Enticing Child for Indecent
Purposes, Contributing to Delinquency
of a Minor

RECORDED

Be it known that Hubbard, Cory Lane Principal and
Robert K Hubbard & Rae H Hubbard Surety are held and
firmly bound to his Excellency Sonny Perdue, Governor of said State, and his successors in office, in the penal sum written above, for payment whereof we firmly
bind ourselves, our heirs, executors and administrators, jointly and severally.

CONDITIONS OF BOND

1. If the above bound principal shall personally be and appear before the Superior Court/State Court, or any other Court in which the cause may be transferred or pending, from day to day, and from term to term, to then and there answer to an indictment and/or accusation for the offense(s) named above, or any included or related offenses therein with which he/she may stand charged and shall not depart thence without leave of the Court, then the above obligation to be null and void, else to remain in full force and virtue; and
2. Principal and Surety agree and covenant that this bond is conditioned upon the appearance of the principal before the Court at the time fixed for his/her arraignment as required by the Code of Georgia Sec. 17-6-17 and Sec. 17-7-91, and,
3. To better secure payment of this bond in the event of forfeiture, Principal and Surety agree for themselves, their families and as the head of their respective families to renounce and waive all right and benefit of the homestead exemption laws of this State, including both constitutional and legislative provision, and each of us further assert that we have never taken or availed ourselves of any homestead or exemption under the laws of this State, or of the United States or elsewhere; and
4. If this bond charges real estate, surety affirms said real estate is that tract recorded by proper Warranty Deed in Deed Book 1226

Page 256 Lowndes in Cherokee County Superior Court Clerk's Office, or is that tract described in the 20 07 Tax Receipt as being

District 12 Land Lot 30 (36A37) Parcel 07 A copy of said Deed/Tax Receipt is attached hereto and made a part hereof. Surety expressly intends to charge and encumber said real estate with this bond with shall become a lien against said property and may be discharged or enforced as provided by law. Surety further affirms that the current, unencumbered value of this property is greater than twice the amount of this bond, exclusive of the homestead exemption.

IN WITNESS WHEREOF, Principal and Surety have executed this bail bond at Canton, Georgia, Cherokee County on the date above.

Signed and Acknowledged in the presence of

CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
PATTY BAKER, CLERK
MAR 21 PM 3:42

D/S Dely 519
Deputy Sheriff acting on behalf of Roger Garrison, Sheriff
of Cherokee County, Georgia

Cory L Hubbard
Robert K Hubbard
PRINCIPAL'S SIGNATURE

4045 Old Pine Rd
PRINCIPAL'S MAILING ADDRESS

Valdosta GA 31605
CITY STATE ZIP

PHONE NUMBERS WORKHOME

PRINCIPAL: +H 229-247-8794

Robert K Hubbard
1) SURETY'S SIGNATURE

Rae H Hubbard
2) SURETY'S SIGNATURE

SURETY: +H 229-247-8794

3750 Cuckwood Dr.
SURETY'S MAILING ADDRESS

Valdosta GA 31602
CITY STATE ZIP

NOTE: SHOULD PRINCIPAL OR SURETY'S MAILING ADDRESS CHANGE, IT SHALL BE EACH INDIVIDUAL'S RESPONSIBILITY TO NOTIFY THE CLERK OF THE COURT IN WHICH THE CHARGES ARE PENDING.

NOTICE OF ARRAIGNMENT
(GA. Code Ann. 27-1401)

You are hereby commanded to appear at the SUPERIOR (STATE) Court for the County of CHEROKEE at 9:00 A.M. on the 18 day of April, 20 08, the date set by the Court for your arraignment upon the charge of Sec Above as described in (Warrant/Arrest No.) (You will be read the formal charges and asked how you wish to plead.) HEREIN FAIL NOT.

WITNESS the Honorable Judges for the Blue Ridge Judicial Circuit, Judge Cherokee / State Court.

This 15 day of March, 20 08

Patty Baker
Superior/State Court
Cherokee County, Georgia

Notice served personally upon defendant Hubbard, Cory Lane
D/S Dely 519
Deputy Sheriff

ACKNOWLEDGEMENT

Service of Arraignment Notice for appearance 18 day of April, 20 08 is hereby acknowledged.
This 15 day of March, 20 08

Robert K Hubbard
Defendant

08-03-2008 10:00:00 AM

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

: CASE NO. 08CR 0159

v. CORY HUBBARD

: CHARGES: ENTICING A

: ATL

CERTIFICATE OF SERVICE

I hereby certify that I have this date served

[Signature] (SCOTT KEY)

- By Hand Delivery
- By Mail

with the following:

- Indictment
- List of Witnesses
- Defendant's oral statement of
- Defendant's written statement of
- Written Waiver of Rights, dated
- Intoximeter results of
- Medical reports of
- Lab report dated
- Motions
- Other PAGES 1 THRU 137
3 CD'S 3 DVD'S (INTERVIEWS, PHOTOGRAPHS) (LT. LOUIS ARMSTRONG)

Pd
 34.25
 CK# 1019
 2008 APR - 1 PM 3:29
 FILED IN OFFICE
 CLERK OF SUPERIOR COURT
 CHEROKEE COUNTY, GA
 GARY BAKER, CLERK

This 28TH day of MARCH, 2008.

GARRY T. MOSS
 District Attorney
 Cherokee County Justice Center
 90 North Street, Suite 390
 Canton, Georgia 30114
 (770) 479-1488

INV. Rick Kehle
 District Attorney's Office
 Blue Ridge Judicial Circuit

ORIGINAL - CLERK'S FILE
 YELLOW - STATE'S FILE
 PINK - DEFENDANT'S FILE

J. SCOTT KEY, P.C. LAWYER

P.O. Box 2696 • 70 MACON STREET
McDONOUGH, GEORGIA 30253
Telephone: 678-610-6624 Fax: 678-610-6678

April 8, 2008

Hon. Brian Amero
Judge, Henry County Superior Court
One Courthouse Square
McDonough, Georgia 30253

Hon. Paschal A. English
Judge, Fayette County Superior Court
One Center Drive
Fayetteville, Georgia 30214

Hon. Ellen McElyea
Judge, Cherokee County Superior Court
90 North Street
Suite 240
Canton, Georgia 30114

Hon. William P. Bartles
Judge, Henry County Juvenile Court
Henry County Judicial Center
One Judicial Center
44 John Frank Ward Boulevard
Suite 110, Second Floor
McDonough, Georgia 30253

Mr. Jack Parish
Superintendent, Henry County
Board of Education
396 Tomlinson Street
McDonough, Georgia 30253

Ms. Liesl Owen
ADR, Sixth Judicial Circuit
120 N. Hill Street
Griffin, Georgia 30223

RE: CONFLICT LETTER FOR THE WEEK OF APRIL 21, 2008

TO THE JUDGES OF THE RESPECTIVE COURTS:

Pursuant to the Uniform Superior Court rules, please be advised of a conflict in the scheduling of the trials, hearings, pleas, arraignments, etc.. on the cases listed as Exhibit "A", attached hereto.

I will first report to the Honorable Ellen McElyea, Judge, Cherokee County Superior Court, on Monday, April 21, 2008 at 9:00 a.m. for the trial calendar. At the conclusion of the case I will report to all other courts.

FILED
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GEORGIA
08 APR -9 PM 12:19
PATTY BAKER, CLERK

CONFLICT LETTER FOR THE WEEK OF APRIL 21, 2008
APRIL 8, 2008
FROM: SCOTT KEY
PAGE TWO

I am lead counsel in all actions listed and said matters cannot be adequately handled and the client's interest adequately protected by other counsel.

Respectfully submitted,

Scott Key, with express permission
SCOTT KEY
Georgia State Bar No. 416839 *Shanda DeJoy*

Cc: Clerks of the Respective Courts
District Attorney's of Prospective Courts
Prosecutors of the Respective Courts
Opposing Counsel

CONFLICT LETTER FOR THE WEEK OF APRIL 21, 2008
APRIL 8, 2008
FROM: SCOTT KEY
PAGE THREE

EXHIBIT "A"

MONDAY, APRIL 21, 2008

9:00 AM

Honorable Ellen McElyea
Judge, Cherokee County Superior Court
STATE OF GEORGIA VS.
CORY HUBBARD
Case No. 08CR159
TRIAL

Garry Moss
District Attorney, Cherokee County
Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114

TUESDAY, APRIL 22, 2008

8:30 AM

The Honorable Jack Parish
Henry County Board of Education
IN THE INTEREST OF:
D.B., Jr., a MINOR
TRIBUNAL HEARING

Ross Idings
Principal, Ola High School
357 North Ola Rd.
McDonough, GA 30252

WEDNESDAY, APRIL 23, 2008

10:00 AM

The Honorable Paschal A. English
Judge, Fayette County Superior Court
STATE OF GEORGIA VS.
SCOTT SELFE
Case No. 2006R229
MOTION FOR SUPERSEDEAS BOND

Scott Ballard
District Attorney, Fayette County
One Center Drive
Fayetteville, Georgia 30214

The Honorable William P. Bartles
Judge, Henry County Juvenile Court
IN THE INTEREST OF:
C.K., a minor
Case No. 075-07-1871, 1872, 1873
HEARING

Mary Evans-Battle
Assistant D.A., Henry County
One Courthouse Square
McDonough, Georgia 30253

CONFLICT LETTER FOR THE WEEK OF APRIL 21, 2008
APRIL 8, 2008
FROM: SCOTT KEY
PAGE FOUR

THURSDAY, APRIL 24, 2008

9:00 AM

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
ROBERT TIMOTHY PHILLIPS
Case No. 2007SUCR1155A
CALENDAR CALL

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
TIMOTHY ROY PHILLIPS
Case No. 2008SUCR78A
CALENDAR CALL

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
SEAN COOPER
Case No. 2007SUCR980A
CALENDAR CALL

1:30 PM

The Honorable Liesl Owen
Mediator, Sixth Judicial Circuit
JON RICHARDSON VS.
LORI RICHARDSON
Case No. 08V107H
MEDIATION

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

Dwayne Singleton
Opposing Counsel
1115 Zebulon Road
Griffin, Georgia 30224

J. SCOTT KEY, P.C.
LAWYER

P.O. Box 2696 • 70 MACON STREET
McDONOUGH, GEORGIA 30253
Telephone: 678-610-6624 Fax: 678-610-6678

April 8, 2008

Patty Baker
Clerk, Cherokee County Superior Court
Cherokee County Justice Center
90 North Street
Canton, Georgia 30114

RE: **State of Georgia vs. Cory Hubbard**
Case No. 08CR0159

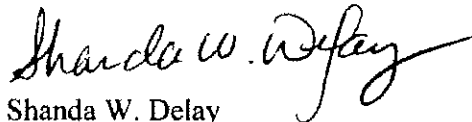
Dear Ms. Baker,

Please consider this a request for ten subpoenas in the above-referenced matter. Scott Key represents Mr. Hubbard in this matter.

Please remit the subpoenas in the enclosed envelope to our office.

Thank you in advance for your assistance with this matter. With kindest regards, I remain,

Respectfully yours,



Shanda W. Delay
Assistant to Scott Key

/swd
Enclosure

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 APR -9 PM 1:19
PATY BAKER, CLERK

COPIED COPY
APR 9 2008
CLERK OF COURTS

J. SCOTT KEY, P.C.
LAWYER

P.O. Box 2696 • 70 MACON STREET
McDONOUGH, GEORGIA 30253
Telephone: 678-610-6624 Fax: 678-610-6678

APR 11 2008
CLERK OF COURTS
ROOM - 9
PATTY BAKER, CLERK

April 8, 2008

Hon. Albert B. Collier
Judge, Clayton County Superior Court
Harold R. Banke Justice Center
9151 Tara Boulevard
Room 4JC401
Jonesboro, Georgia 30236

Honorable Daniel M. Coursey, Jr.
Judge, DeKalb County Superior Court
207 DeKalb County Courthouse
Room 7220
556 North McDonough Street
Decatur, Georgia 30030

Hon. Ellen McElyea
Judge, Cherokee County Superior Court
90 North Street
Suite 240
Canton, Georgia 30114

RE: CONFLICT LETTER FOR THE WEEK OF APRIL 14, 2008

TO THE JUDGES OF THE RESPECTIVE COURTS:

Pursuant to the Uniform Superior Court rules, please be advised of a conflict in the scheduling of the trials, hearings, pleas, arraignments, etc., on the cases listed as Exhibit "A", attached hereto.

I will first report to the Honorable Daniel M. Coursey, Jr., Judge, DeKalb County Superior Court, on Wednesday, April 16, 2008 at 9:00 a.m.. At the conclusion of the case I will report to all other courts.

I am lead counsel in all actions listed and said matters cannot be adequately handled and the client's interest adequately protected by other counsel.

Respectfully submitted,

Scott Key, with express permission
SCOTT KEY
Georgia State Bar No. 416839

Cc: Clerks of the Respective Courts
District Attorney's of Prospective Courts
Prosecutors of the Respective Courts; Opposing Counsel

*Shanda
Wefay*

CERTIFIED COPY
PATTY BAKER
CLERK OF COURTS

CONFLICT LETTER
APRIL 8, 2008
FROM: SCOTT KEY
PAGE TWO

EXHIBIT "A"

WEDNESDAY, APRIL 16, 2008

9:00 AM

The Honorable Daniel M. Coursey, Jr.
Judge, DeKalb County Superior Court
STATE OF GEORGIA VS.
DALE DODGE
Case No. 06CR4091
MOTION TO MODIFY SENTENCE

Gwendolyn Keyes Fleming
District Attorney, DeKalb County
700 DeKalb County Courthouse
556 North McDonough Street
Decatur, Georgia 30030

1:30 PM

Honorable Ellen McElyea
Judge, Cherokee County Superior Court
STATE OF GEORGIA VS.
CORY HUBBARD
Case No. 08CR159
CALENDAR CALL

Garry Moss
District Attorney, Cherokee County
Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114

THURSDAY, APRIL 17, 2008

1:30 PM

The Honorable Albert B. Collier
Judge, Clayton County Superior Court
STATE OF GEORGIA VS.
ANDRE CURNEY
Case No. 2007SUCR00921-05
MOTIONS HEARING

Jewell Scott
District Attorney, Clayton County
Harold R. Banke Justice Center
9151 Tara Boulevard, Fourth Floor
Jonesboro, Georgia 30236

IN-MAIL DOCUMENT

COPY TO ATTORNEY

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

* CRIMINAL ACTION

vs.

*

CORY HUBBARD

* CASE NO. 08CR159

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 APR 15 PM 1:54
PATTY BAKER, CLERK

LIST OF POTENTIAL WITNESSES
CERTIFICATE OF DISCOVERY PROVIDED BY DEFENDANT

Pursuant to O.C.G.A. 17-6-1 et seq., please find a list of potential witnesses the defense may or may not call at trial, to-wit:

1. Marilou Joyce
2625 Diana Circle
Tifton, GA
DOB: 4/18/52
Phone Number: (229) 382-4656
2. Melba Weeks
48 Burnt Pine Rd.
Valdosta, GA, 31602
DOB: 7/3/47
Phone Number: (229) 259-9122
3. Harry Ham
208 Wells St.
Valdosta, GA
DOB: 3/9/47
Phone Number: (229) 244-8290
4. Adrienne Young
4045 Old Pine Rd.
Valdosta, GA
DOB: 7/21/75
Phone Number: (229) 292-9281

COPIED COPY
PATTY BAKER
CLERK OF SUPERIOR COURT

5. Sylvia Adams
2019 Herb Ct.
Tallahassee, FL 32312-3158
DOB: 8/19/45
Phone Number: (850) 894-0291

6. Robert K. Hubbard
3750 Creekwood Dr.
Valdosta, GA 31602
DOB: 11/08/48
Phone Number: (229) 247-8794; (229) 386-3893 (work)

7. Rae Hubbard
3750 Creekwood Dr.
Valdosta, GA 31602
DOB: 01/02/49
Phone Number: (229) 247-8794; (229) 245-2260 (work)

8. Melanie Hubbard
3750 Creekwood Dr.
Valdosta, GA 31602
DOB: 02/29/76
Phone Number: (229) 247-8794

This the 14th day of April, 2008.



SCOTT KEY
Attorney for Defendant
Ga. Bar No. 416839

J. SCOTT KEY, P.C.
70 Macon Street
P. O. Box 2696
McDonough, Georgia 30253
Phone: 678-610-6624
Fax: 678-610-6678
Email: scottkey@bellsouth.net

CERTIFICATE OF SERVICE

This is to certify that I have this date served opposing counsel with a true and correct copy of the within and foregoing LIST OF POTENTIAL WITNESSES – CERTIFICATE OF DISCOVERY PROVIDED BY DEFENDANT by facsimile and mailing a copy of the same to her office at the following address:

District Attorney
Cherokee County
Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114

This the 14th day of April, 2008.



SCOTT KEY
Attorney for Defendant
Ga. Bar No. 416839

J. SCOTT KEY, P.C.
70 Macon Street
P. O. Box 2696
McDonough, Georgia 30253
Phone: 678-610-6624
Fax: 678-610-6678
Email: scottkey@bellsouth.net

J. SCOTT KEY, P.C.
LAWYER

P.O. Box 2696 • 70 MACON STREET
McDONOUGH, GEORGIA 30253
Telephone: 678-610-6624 Fax: 678-610-6678

April 14, 2008

Patty Baker
Clerk, Cherokee County Superior Court
90 North Street, Suite G170
Canton, Georgia 30114

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 APR 15 PM 1:54
PATTY BAKER, CLERK

RE: State of Georgia vs. Cory Hubbard
Case No. 08CR159

Dear Ms. Baker,

Enclosed please find for filing a List of Potential Witnesses Certificate of Discovery Provided by Defendant in the above-referenced matter.

By way of mail I am copying the District Attorney's Office of Cherokee County, Georgia.

Your assistance in this matter is greatly appreciated. With kindest regards, I remain,

Respectfully yours,



Shanda W. DeLay
Secretary to Scott Key

/swd

Enclosures

Cc: District Attorney's Office of Cherokee County

ORIGINAL COPY
PATTY BAKER
CLERK OF SUPERIOR COURT

08 C 159

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 APR 16 PM 1:56
PATTY BAKER, CLERK
KB

J. SCOTT KEY, P.C.

LAWYER

P.O. Box 2696 • 70 MACON STREET
McDONOUGH, GEORGIA 30253
Telephone: 678-610-6624 Fax: 678-610-6678

April 15, 2008

Hon. Brian Amero
Judge, Henry County Superior Court
One Courthouse Square
McDonough, Georgia 30253

Honorable Wade Crumley
Judge, Henry County Superior Court
Henry County Courthouse
One Courthouse Square
McDonough, Georgia 30253

Honorable Tom Davis
Judge Gwinnett County Superior Court
75 Langley Drive
Lawrenceville, GA 30045-6936

Hon. Ellen McElyea
Judge, Cherokee County Superior Court
90 North Street
Suite 240
Canton, Georgia 30114

Honorable Ben Studdard
Chief Judge, Henry County State Court
Henry Judicial Center
44 John Frank Ward Blvd.
Suite 310, Third Floor
McDonough, Georgia 30253

Honorable Stephen Ott
Judge, Peachtree City Municipal Court
151 Willowbend Drive
Peachtree City, Georgia 30269

Ms. Liesl Owen
ADR, Sixth Judicial Circuit
120 N. Hill Street
Griffin, Georgia 30223

RE: CONFLICT LETTER FOR THE WEEK OF APRIL 28, 2008

TO THE JUDGES OF THE RESPECTIVE COURTS:

Pursuant to the Uniform Superior Court rules, please be advised of a conflict in the scheduling of the trials, hearings, pleas, arraignments, etc., on the cases listed as Exhibit "A", attached hereto.

I will first report to the Honorable Wade Crumley, Judge, Henry County Superior Court, on Monday, April 28, 2008 at 9:00 a.m. for the trial calendar. At the conclusion of the case I will report to all other courts.

CONFLICT LETTER FOR THE WEEK OF APRIL 28, 2008
APRIL 15, 2008
FROM: SCOTT KEY
PAGE TWO

I am lead counsel in all actions listed and said matters cannot be adequately handled and the client's interest adequately protected by other counsel.

Respectfully submitted,

Scott Key, with opposing permission
SCOTT KEY
Georgia State Bar No. 416839 *Shanda DeJoy*

Cc: Clerks of the Respective Courts
District Attorney's of Prospective Courts
Prosecutors of the Respective Courts
Opposing Counsel

CONFLICT LETTER FOR THE WEEK OF APRIL 28, 2008
APRIL 15, 2008
FROM: SCOTT KEY
PAGE THREE

EXHIBIT "A"

MONDAY, APRIL 28, 2008

9:00 AM

The Honorable Wade Crumbley
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
AMY J. WILEY
Case No. 2006SUCR788W
TRIAL

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

The Honorable Wade Crumbley
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
TARIK D. CHATMAN
Case No. 2007SUCR693W
TRIAL

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

The Honorable Wade Crumbley
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
DEBORAH W. DINKLER
Case No. 2007SUCR1150W
TRIAL

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
ROBERT TIMOTHY PHILLIPS
Case No. 2007SUCR1155A
TRIAL

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
TIMOTHY ROY PHILLIPS
Case No. 2008SUCR78A
TRIAL

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

CONFLICT LETTER FOR THE WEEK OF APRIL 28, 2008
APRIL 15, 2008
FROM: SCOTT KEY
PAGE FOUR

The Honorable Brian Amero
Judge, Henry County Superior Court
STATE OF GEORGIA VS.
SEAN COOPER
Case No. 2007SUCR980A
TRIAL

Tommy Floyd
District Attorney, Henry County
One Center Drive
McDonough, Georgia 30253

Honorable Ellen McElyea
Judge, Cherokee County Superior Court
STATE OF GEORGIA VS.
CORY HUBBARD
Case No. 08CR159
TRIAL

Garry Moss
District Attorney, Cherokee County
Cherokee County Justice Center
90 North Street, Suite 390
Canton, Georgia 30114

WEDNESDAY, APRIL 29, 2008
9:00 AM

The Honorable Ben W. Studdard III
Judge, Henry County State Court
STATE OF GEORGIA VS.
WILLIAM HAGEMAN
Case No. 08SL297
PLEA

Charles Spahos
Solicitor, Henry County
44 John Frank Ward Blvd.
Suite 350, Third Floor
McDonough, Georgia 30263

The Honorable Stephen Ott
Judge, Peachtree City Municipal Court
STATE OF GEORGIA VS.
RONALD W. EDMOND
Case No. T139444, T139445
ARRAIGNMENT

Marcia Moran
Prosecutor, Peachtree City Municipal
350 S. Hwy. 74
Peachtree City Ga 30269

1:30 PM
The Honorable Liesl Owen
Mediator, Sixth Judicial Circuit
JON RICHARDSON VS.
LORI RICHARDSON
Case No. 08V107H
MEDIATION

Dwayne Singleton
Opposing Counsel
1115 Zebulon Road
Griffin, Georgia 30224

CONFLICT LETTER FOR THE WEEK OF APRIL 28, 2008
APRIL 15, 2008
FROM: SCOTT KEY
PAGE FIVE

THURSDAY, MAY 1, 2008

1:30 PM

The Honorable Tom Davis
Judge, Gwinnett County Superior Court
STATE OF GEORGIA VS.
MICHAEL GRADY OVERSTREET
Case No. 07-B-04202-10
MOTIONS HEARING

Mr. Stephen Anthony Fern
Asst. D.A., Gwinnett Superior
Gwinnett Justice/Admin. Center
75 Langley Drive
Lawrenceville, GA 30045

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

STATE OF GEORGIA

INDICTMENT NO.

VS

08CR0159

CORY LANE HUBBARD

ADDITIONAL WITNESS LIST

The following have been added as witnesses for the State in the above styled case:

Additional Witnesses:

Change of Address:

Robbie Rainey
961 Upper Sweetwater Trail
White, GA 30184

Nicole Rainey
961 Upper Sweetwater Tr.
White, GA 30184

Sherri Rainey
961 Upper Sweetwater Trail
White, GA 30184

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2008 APR 24 PM 3:35
PATTY BAKER, CLERK

COPY
CLERK OF COURTS

IN THE SUPERIOR COURT OF CHEROKEE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

INDICTMENT NO.

VS

08CR0159


CORY LANE HUBBARD

CERTIFICATE OF SERVICE

This is to certify, that I have this day served upon J. SCOTT KEY, Attorney for the defendant, a copy of the ADDITIONAL WITNESS LIST, (x) by placing a copy of the same in the United States Mail properly addressed and adequate postage thereon, () Personal Service (x) Fax.

J. SCOTT KEY
ATTORNEY AT LAW
P. O. BOX 2696
70 MACON STREET
MCDONOUGH, GA 30253

This 24 day of April, 2008.



LARA ASHLEY SNOW
ASSISTANT DISTRICT ATTORNEY
BLUE RIDGE JUDICIAL CIRCUIT

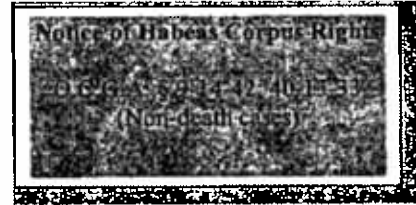
90 North Street
Suite 390
Canton, GA 30114
(770) 479-1488

Defendant's Name:

Cory Hubbard

Case No.

QBCR0159



Blue Ridge Judicial Circuit - Superior Court - Cherokee County - Georgia

NOTICE

- 1) If you believe that under these Court proceedings, there was a substantial denial of your rights under the Constitution of the United States or of the Constitution of Georgia, or
- 2) if you wish to challenge the composition of the grand or trial jury in your case, you must do so within the following time limits, else these issues are waived.

LIMITS DEFINED

Any action brought pursuant to this article shall be filed within

- 1) 180 days for traffic offenses;
- 2) one year in the case of a misdemeanor, or
- 3) within four years in the case of a felony

Filed in Office, Cherokee County, Georgia
 This 28th day of April, 2009
 At 5:12 p.m.

 PATTY BAKER, Clerk
 Superior, State and Juvenile Courts

as measured from:

- 1) Your conviction becoming final, [i.e.,
 - a. The judgment of conviction becoming final by the conclusion of direct review (appeal)
 - b. or the expiration of time for seeking such review, which would be calculated as thirty (30) days from
 - i. sentencing or
 - ii. ruling on motion for new trial or
 - iii. ruling on motion for out of time appeal];
- 2) The date on which an impediment to filing a petition which was created by state action in violation of the Constitution or laws of the United States or of this state is removed, if the petitioner was prevented from filing such state action;
- 3) The date on which the right asserted was initially recognized by the Supreme Court of the United States or the Supreme Court of Georgia, if that right was newly recognized by said courts and made retroactively applicable to cases on collateral review; or
- 4) The date on which the facts supporting the claims presented could have been discovered through the exercise of due diligence.

ACKNOWLEDGMENT

(check the box that applies)

I can read, have read the above and

The above has been read to me by Patt Key, and

I acknowledge same on this 28th day of April, 2009.

Cory Hubbard (Signature)

Cory Hubbard (Printed Name)

I have read the above to the named Defendant on the 28th day of April, 2009.
(if applicable)

Patt Key (Signature)

Patt Key (Printed Name)

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

State of Georgia, Plaintiff

VS

Cory Hubbard

Defendant

Case No. 09CR0159

PETITION TO ENTER PLEA OF GUILTY

I, the above named defendant, hereby state to the Court that I wish to enter a plea of GUILTY to the above numbered indictment. In connection with that plea of GUILTY, I inform the Court that the answers to the following questions are true:

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. What is your name? <u>Cory Hubbard</u> | | |
| 2. What is your age? <u>31</u> | | |
| 3. How much education have you had? <u>12</u> | | |
| 4. Are you able to read and write? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Are you now under the influence of any alcohol, intoxicants or any drugs? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. To your knowledge, do you now suffer from any mental or emotional disability? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Have you received a copy of the indictment in this case? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Have you read it or had it read and explained to you? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Do you fully understand the charges against you? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Have you had enough time to talk with your lawyer about your case? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Have you discussed your case fully and explained everything you know about it to your lawyer including all of the facts and circumstances surrounding any statement, confession, or other evidence obtained from you by anyone? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Has your lawyer advised you of the nature of the charges against you and any possible defenses you may have including the right to challenge the legality of any statement, confession, or other evidence obtained or seized from you? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 13. Do you understand that you have a right to plead NOT GUILTY to every charge filed against you? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 14. Do you understand that if you plead NOT GUILTY you have a right to a speedy and public trial by a judge or jury? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 15. Do you understand that if you plead NOT GUILTY you have a right to confront, which is to see, hear, question, and cross-examine the witnesses called to testify against you at trial? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Do you understand that if you plead NOT GUILTY you have a right to use the subpoena power of the Court to require the attendance of any witnesses on your behalf, whether they want to come or not? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Do you understand that if you plead NOT GUILTY you have the right to testify or not testify, as you choose, that you cannot be required to testify and that if you do not testify the jury cannot take that as evidence against you? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 18. Do you understand that if you plead NOT GUILTY you will be presumed to be innocent and that before you can be convicted the prosecution will have the duty of proving your guilt beyond a reasonable doubt? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Do you understand that, in the event you were convicted in a trial, you would have the right to appeal your conviction? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Do you understand that if you plead GUILTY you will have waived, that is, given up, each of the rights mentioned in questions 13 through 19? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 21. Do you realize that if you plead GUILTY the Court may impose the same punishment as if you had pleaded NOT GUILTY and been convicted? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. Do you know that the sentence you will receive is solely a matter for the judge to decide? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 23. Have you been advised of the maximum punishment provided by law for the offence (s) to which you plead guilty? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 24. If so, what is it? <u>30 years to life</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 25. Is there a mandatory minimum sentence or a parole restriction? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 26. If so, what is it? <u>10 years to life</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 27. No other assurances have been made to me by my attorney or anyone else that I will likely make parole within any designated time. I acknowledge that any discussion I may have had with my attorney on the subject is, at most, an estimate, not an assurance, is not binding on the Court nor any agency of government, and is NOT a basis for any plea agreement in this case. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 28. Do you realize that if you plead GUILTY the Court may sentence you to the maximum punishment authorized by law for the offense or offenses to which you plead GUILTY? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29. If you are now on probation or parole, do you know that by pleading GUILTY here your probation or parole may be revoked and that you may be required to serve time in that case in addition to the sentence imposed upon you in this case? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 30. If you are now serving another sentence, do you know that the sentence in this case could be made to follow the sentence you are now serving? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 31. Has any person used any threats, force, pressure, or intimidation to make you plead GUILTY? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 32. Has any promise been made by anyone which causes you to plead GUILTY? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 33. Has any person suggested to you or led you to believe that you will be placed on probation or be given a lighter sentence or otherwise rewarded for pleading GUILTY? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 34. If so, who made the suggestion and exactly what was suggested? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 35. Has any plea agreement been made by you with anyone which causes you to plead GUILTY? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Filed in Office, Cherokee County, Georgia
This 26 day of April, 2009
At 5:10 p.m.
FATTY BAKER, Clerk
Superior, State and Juvenile Courts

36. If so, exactly what is that agreement, as you understand it? 10 to save to be followed by
37. Is your plea of GUILTY given voluntarily and of your free will and accord? 10 years on 10 probation
38. Are you an alien? Yes No
39. Do you understand that as an alien your plea of guilty may result in your deportation? Yes No
40. Did you commit the unlawful acts set forth in the charge or charges to which you want to plead GUILTY? Yes No
41. If so, specifically what unlawful acts did you commit? I did the acts set forth in the indictment
42. Has your lawyer gone over all of these questions and your answers to them with you? Yes No
43. Are you satisfied with your lawyer and the way he has represented you in the case? Yes No
44. Do you understand all these questions? Yes No
45. If not, which ones do you not understand? _____
46. Is there any other information or advice you want before you enter a plea of GUILTY? Yes No
47. Do you understand that if you plead GUILTY, the Court may place you under oath and ask you questions about the offense or offenses to which you have pleaded and the answers to these questions may later be used against you in a prosecution for perjury or false statement or in any proceedings challenging the entry of your plea? Yes No
48. Do you now want to plead GUILTY? Yes No

I therefore, petition the Court to accept my plea of GUILTY.

This 28th day of April, 20 08

Cory Hubbard
DEFENDANT

Sworn to and subscribed before me this 28th day of April, 20 08

Tammy N. Stine
Notary Public

CERTIFICATE OF COUNSEL

I, as attorney for the defendant, hereby certify that:

- I have read and fully explained to the defendant all of the charges contained in the indictment or information in this case.
- I have explained and discussed with defendant the facts and elements of the case which the prosecution must prove and the defenses that may be available to the charge or charges.
- I have explained to the defendant the maximum penalty provided by law for the offense or offenses to which the defendant offers a plea of guilty and the possible consequences of a plea of guilty.
- The plea of guilty offered by the defendant to the charge or charges accords with my understanding of the facts the defendant has related to me, is consistent with my advice to the defendant, and in my opinion is voluntary and understandably made.
- To the best of my knowledge and belief the statements, representations, and declarations made by the defendant in the foregoing petition are in all respects accurate and true.
- I do not know of any reason why the Court should not accept the plea of guilty.

This 28th day of April, 20 08

[Signature]
Attorney for the Defendant

ORDER

After examination by the Court, the Court ascertains, determines, and adjudges, that the plea of guilty by the defendant is freely, understandingly, and voluntarily made, and was made without undue influence, compulsion, or duress, and without promise of leniency. It is, therefore, ordered that the plea of guilty be entered on the minutes, and that this Transcript and Certificate be filed with the (Indictment) (Accusation).

This 28 day of April, 20 08

[Signature]
JUDGE, SUPERIOR COURTS

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

INDICTMENT NO. 02CR0159

vs.

Cary Hubbard

*
*
*

POSSIBLE EFFECTS OF MY CONVICTION

I acknowledge that I am aware that the conviction in the above styled case may result in collateral consequences beyond the control of my attorney and the court. Such consequences may include but not be limited to the following:

The plea may be used against me and may affect my probation or parole status in this or other courts.

I will likely lose my right to vote or hold elective office.

I will likely lose my right to possess a firearm.

The conviction may affect my immigration status.

The conviction may prevent me from being licensed to carry on some type of employment.

The conviction may affect my ability to adopt.

The conviction may affect me or anyone living in my household in any custody dispute.

The conviction may affect my employment; and possibly many other factors which I may not now be able to anticipate.

Even in a case of "First Offender" probation, there is no assurance that my plea and first offender disposition will not have an affect on any of these issues, especially in other states, agencies or Federal jurisdictions.

I have received no assurances from my lawyer or any other third party, including, but not limited to state or law enforcement agencies to the contrary, and to the extent that I believe this issues will not be affected, I acknowledge, that these issues are not under the control of the State or the Court and form no part of any negotiation nor agreement as an incentive for a plea. Any adverse affect of my conviction in any of these or similar areas shall not be basis for voiding my conviction.

This the 28th day of April, 2011.

Cary Hubbard
DEFENDANT

J. H. Key
ATTORNEY FOR DEFENDANT

L. Brown
(ASST.) DISTRICT ATTORNEY

Filed in Office, Cherokee County, Georgia
This 28 day of April, 2011
At 5:12 m.
[Signature]
TATY BAKER, Clerk
Superior, State and Juvenile Courts

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

* INDICTMENT NO.

v.

* 0PCR0159

Cory Hubbard

*

WAIVER OF FOURTH AMENDMENT RIGHTS

Comes now Cory Hubbard, Defendant in the above styled case, and states to the Court the following:

I understand that I have rights that protect me from unreasonable search and seizure.

I understand that these rights are guaranteed by the Fourth Amendment to the United States Constitution, as well as the Georgia Constitution.

I also understand that I can voluntarily give up these rights as part of a negotiated plea agreement as an acceptable alternative to prison.

I do hereby waive and give up the rights listed above, and do hereby consent to a search of my person, papers, personal effects, residence, vehicle, and bodily substances. I further consent that such a search may be conducted by my probation officer or by any law enforcement officer. I agree that such a search may be conducted without a warrant and without probable cause, articulable suspicion, or reasonable grounds. I consent to the use of any evidence seized during such a search in any prosecution that may arise from said search.

Respectfully submitted this the 26th day of April, 2008.

Cory Hubbard
Defendant

L. Brown
Assistant District Attorney
Blue Ridge Judicial Circuit

[Signature]
Attorney for Defendant

Filed in Office, Cherokee County, Georgia
This 27 day of April, 2008
At 5:12 p. m.

[Signature]
FATY BAKER, Clerk
Superior, State and Juvenile Courts

IN THE SUPERIOR COURT OF CHEROKEE COUNTY, GEORGIA FINAL DISPOSITION
 CLERK OF SUPERIOR COURT
 CHEROKEE COUNTY, GA CASE NO. 08 CR 0159

STATE OF GEORGIA

VS.

2008 APR 29 AM 9:19

OFFENSE(S) Enticing child for

indecent proposals

PATTY BAKER, CLERK Contributing to delinquency,

inevitable deprivation of

minor

Jan Adj. TERM, 2008

Cory Lane Hubbard

<input checked="" type="checkbox"/> PLEA	<input type="checkbox"/> VERDICT (JURY) (NON-JURY)	<input checked="" type="checkbox"/> OTHER DISPOSITION
<input checked="" type="checkbox"/> NEGOTIATED	<input type="checkbox"/> GUILTY ON	<input checked="" type="checkbox"/> NOLLE PROSEQUI ORDER ON
<input checked="" type="checkbox"/> GUILTY ON COUNT(S) <u>I</u>	<input type="checkbox"/> COUNT(S) _____	<input type="checkbox"/> COUNT(S) <u>II</u>
<input type="checkbox"/> NOLO CONTENDERE ON COUNT(S) _____	<input type="checkbox"/> NOT GUILTY ON	<input type="checkbox"/> DEAD DOCKET ORDER ON
<input type="checkbox"/> (GUILTY) (NOLO) TO LESSER INCLUDED	<input type="checkbox"/> COUNT(S) _____	<input type="checkbox"/> COUNT(S) _____
<input type="checkbox"/> OFFENSE(S) _____	<input type="checkbox"/> GUILTY OF INCLUDED	<input type="checkbox"/> COUNT(S) _____
<input type="checkbox"/> _____	<input type="checkbox"/> OFFENSE(S) OF _____	<input type="checkbox"/> MERGES INTO COUNT _____
<input type="checkbox"/> ON COUNT(S) _____	<input type="checkbox"/> _____	<input type="checkbox"/> (SEE SEPARATE ORDER)
<input type="checkbox"/> ON COUNT(S) _____	<input type="checkbox"/> ON COUNT(S) _____	

WHEREAS, it is the judgment of the Court that the defendant is hereby adjudged guilty of the above-stated offense(s); WHEREUPON, it is ordered and adjudged by the Court that the defendant is hereby sentenced to confinement for the period of Twenty years

in the State Penal System, or such other institution as the Commissioner of the Department of Corrections may direct, to be computed as provided by law.

IT IS THE FURTHER ORDER of the Court:

- 1) That the sentence may be served on probation as to CT.(s) _____;
- 2) That upon service of Ten (10) years, the remainder of Balance may be served on probation;

IT IS FURTHER ORDERED that defendant pay a total FINE of \$ _____ and the following surcharges:
 P.O.S.T.:\$ _____; JAIL:\$ _____; V.A.P.:\$ _____; LAB:\$ _____; D.A.T.E.:\$ _____;
 I.D. FUND:\$ _____; D.U.I.:\$ _____; S.I.T.:\$ _____.

PROVIDED, that the defendant complies with the following general, special, and other conditions herein imposed as part of this sentence, including those special conditions listed on the reverse side of this sentence which by reference are made a part of this sentence. IT IS THE FURTHER ORDER of the Court, and the defendant is hereby advised, that the Court may at any time revoke or modify any conditions of this probation and/or discharge the defendant from probation. The defendant shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which is originally imposed or any portion thereof in the manner provided by law after deducting therefrom the amount of time the defendant has served on probation.

GENERAL CONDITIONS OF PROBATION

- 1) Do not violate the criminal laws of any governmental unit.
- 2) Avoid injurious and vicious habits; especially alcoholic intoxication, and use of narcotics or other dangerous drugs unless as prescribed lawfully.
- 3) Avoid persons or places of disreputable or harmful character.
- 4) Report to the Probation Officer as directed and permit such Officer to visit you at home or elsewhere.
- 5) Work faithfully at suitable employment insofar as may be possible.
- 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Officer.
- 7) Support your legal dependents, if any, to the best of your ability.

OTHER CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that defendant pay appointed ATTORNEY FEES as approved, not to exceed \$ _____; RESTITUTION of \$ _____, (less any amount paid by co-defendant(s)); and a \$ 32.00 monthly PROBATION FEE. All Court-ordered monies shall be paid to the Probation Office (Instantar) (within _____ days/months/years) (at the rate of \$ _____ per month), beginning (_____) (30 days after release) (while at Diversion Center) (as follows: _____). The Court will suspend \$ _____ of FINE upon defendant obtaining a (G.E.D.) (High School Diploma) or completing a (_____) within _____ months.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the defendant:

- X (1) Shall not take into his/her body any substance prohibited or controlled by any law of the State of Georgia or the United States except pursuant to a physician's prescription which shall be submitted to the Probation Officer for inspection and copy prior to ingesting any of the prescribed substances.
- X (2) Shall, from time to time, upon oral or written request by the Probation Officer or any law enforcement officer, produce a specimen of any bodily substance for analysis for the presence of a substance prohibited by any law of the State of Georgia or the United States.
- X (3) Shall submit to a search of his/her person, houses, papers, and/or effects as these terms of the Fourth Amendment to the United States Constitution are defined by the Courts, any time of the day or night, with or without a search warrant, whenever requested to do so by a Probation Officer or any law enforcement officer, and he/she specifically consents to the use of anything seized as evidence in any Judicial proceedings or trial.
- X (4) Shall report all arrests for any reason to the Probation Officer within forty-eight (48) hours.
- X (5) Shall not possess any alcoholic beverages, firearms, or illegal controlled substances, nor occupy any residence or vehicle where such is present.
- X (6) Shall, at own expense, submit to an evaluation approved by the Probation Officer for (substance abuse) AND (emotional or mental disorder). If evaluation indicates a treatment need, defendant shall, at own expense, complete recommended treatment program as directed by the Probation Officer.
- X (7) Shall avoid contact, personal, by telephone, mail, or otherwise, with: Nicole Rainey
and family
- (8) Shall perform _____ hours of Community Service at the rate of not less than eight (8) hours per week, or as otherwise directed by the Probation Officer.
- (9) Shall not refuse to testify, but shall testify fully and truthfully as to all circumstances of this case and any related matters.

X Other Special Conditions ordered by the Court are as follows:

Register as sex offender

Serve probation sentence under S.O.S.P. conditions
abiding by all regulations of program.

The defendant was represented by the Honorable Scott Key, Attorney at Law.

SO ORDERED this 28 day of April, 2008.

[Signature]
JUDGE, SUPERIOR COURT

CERTIFICATE OF SERVICE...This is to certify that a true and correct copy of this sentence has been delivered in person to the defendant, who has been duly instructed regarding the conditions as set forth herein.

This 28 day of April, 2008.

[Signature]
PROBATION OFFICER

Copy received and instructions regarding sentence and conditions acknowledged.

This 28 day of April, 2008.

[Signature]
PROBATIONER

SPECIALIZED OFFENDER SUPERVISION - SEX OFFENDER
IN THE SUPERIOR COURT OF CHEROKEE COUNTY, GEORGIA

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GEORGIA

2008 APR 29 AM 9:19

CASE NO. 08CR0189

THE STATE OF GEORGIA

VS.

Cory Hubbard

PATTY BAKER, CLERK

1. Defendant shall submit at his/her own expense to a sex offender evaluation and shall satisfactorily complete such treatment program as provided by The Highland Institute for Behavioral Change, Medlin Treatment Center, Behavioral Medicine Institute, Ponce De Leon Counseling Center or such agency as shall be approved by the Probation Officer. It shall be the responsibility of the defendant to submit programs and credentials for approval of alternatives. Defendant shall provide treatment progress reports and proof of attendance to the Probation Officer. Defendant shall participate fully and completely in treatment and shall not be uncooperative, disruptive, verbally abusive, late or absent without a valid excuse as approved by the treatment provider and the Probation Officer.
2. Defendant shall serve one (1) week in jail at his/her own expense for each unexcused absence from scheduled treatment, commencing within three (3) days of missed appointment.
3. Defendant shall pay for costs of mental health evaluation for victim and if counseling is recommended, the defendant shall pay costs as determined by the Court after a proper hearing.
4. Defendant shall have no contact with the victim to include telephone, mail, electronic mail, fax, or third person contact nor attempt to obtain information regarding the victim's whereabouts.
5. Defendant shall not occupy any residence or vehicle with any person under the age of EIGHTEEN (18) unless occupied by an adult APPROVED BY THE THERAPIST AND PROBATION OFFICER. If the victim is the defendant's wife/children, then he/she shall be required to live separately from them until otherwise recommended by the therapist and APPROVED BY THE COURT. He/she shall not visit his/her children under the age of EIGHTEEN (18) unless supervised by an approved adult.
6. Defendant shall not frequent any location including but not limited to recreation areas, movie theaters, day care centers, nurseries, school vehicles, amusement parks, athletic parks, or any such place as designated by the Probation Officer where children would be present. Defendant shall not hold any position of leadership or responsibility nor participate in any activity that involves contact with children.
7. Defendant is prohibited from working, volunteering, participating in, or having direct association whatsoever with any day care center or children's programs, including but not limited to programs involving sports, recreation, athletics, education, schools, pre-schools, school buses, school bus stops, Girl Scouts, Boy Scouts, youth choirs, youth programs, YMCA, YWCA, and any other volunteer program, activity or community service work involving direct contact with children under the age of 18.
8. Defendant shall not stalk, photograph, video or attempt same of a minor or any other person as designated by the Probation Officer.
9. Defendant shall answer all questions fully and truthfully and provide any necessary information to the Probation Officer.
10. Defendant shall maintain complete telephone service in the residence and shall not change the number without prior permission from the Probation Officer.
11. Defendant shall not possess or be in the presence of pornographic, cruel, or abusive materials which are described as but not limited to printed materials, photographs, films, videos, audio tapes, records or discs, computer discs, computer displays or transmissions, or movies, that display or depict anything of a sexual nature involving children unless approved by the treatment provider for treatment purposes. Such materials are further defined under the Georgia Criminal Code at 16-12-100 (Sexual Exploitation of Children). Being in possession of includes but is not limited to what is on the person, in the residence, or in the property of the person or under control of the person.
12. Defendant consents to the release of information to or from any person or agency as deemed necessary by the Probation Officer.
13. Defendant shall submit to a search of their person, place of residence, or belongings when directed by a Probation Officer or any law enforcement officer to include drug/alcohol screens. Any contraband or items prohibited under Condition #11 which are seized shall be used as evidence in any judicial proceedings and could result in new charges being filed.
14. Defendant shall submit at his own expense to a polygraph examination EVERY THREE MONTHS and consents to the use of examination results in any judicial proceeding.

- CONTINUED ON REVERSE SIDE -

CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GEORGIA

15. Defendant shall not be allowed to participate in any Internet dating services during the period of probation.
16. Defendant will remain appropriately clothed when in public and when the potential for public view exists.
17. Defendant shall not linger or stop at any middle, elementary, or high schools nor at any school bus stops, amusement parks, playgrounds, and arcades.
18. Defendant is to submit to an HIV test, at his/her own expense, at the request of the Probation Officer.
19. Defendant shall be supervised during the entire period of probation unless otherwise ordered by the Court.

SO ORDERED this 28th day of April 2008.

Ed A. Ryznar
JUDGE, SUPERIOR COURT

I, Cay Hibbs, do hereby state full and complete understanding of the above conditions and agree to abide by all Specialized Offender Conditions as outlined in the S.O.S. Order for a period of time as determined by the Court in lieu of incarceration in a State Penal Institution.

Cay Hibbs
DEFENDANT

4/28/08
DATE

[Signature]
PROBATION OFFICER

4-28-08
DATE

PRISONER'S PERSONAL HISTORY SHEET

CASE# 08-CR-0159

To be furnished to the Georgia Department of Corrections, Atlanta, Georgia, by Clerks of the Superior Court of the state of Georgia at the same time notice of sentence is furnished.

SENTENCE DATA:

From Superior Court of Cherokee Court January adj term 2008

Name of Prisoner Cory Lane Hubbard

IDENTITY OF PRISONER

NOTE: BOXED AREA MUST BE COMPLETED

Race W Sex M D.O. B 06.26.1976 Social Unknown OTN 88362569595

Was subject picked up from Department of Corrections to answer these charges? Yes _____ No _____

If yes, which Institution? _____

From what jail can Department of Corrections assume custody of this subject? _____

FBI No. _____ S.I.D. NO. _____ Finger Print # _____

Eye Color _____ Hair Color _____ Height _____ Weight _____

Place of Birth _____ Distinguishing marks and scars _____

Last home address _____

Marital Status _____ Spouse's Name _____

Name, Address and relation of nearest relative or friend _____

AFFIDAVIT OF CUSTODIAN

I, the undersigned custodian of the defendant, do swear and affirm that the following is true and correct to the best of my knowledge:

(Name of defendant) _____
was confined on case number(s) _____ on the following date:

Entered _____ Departed _____ Reason _____

Entered _____ Departed _____ Reason _____

Entered _____ Departed _____ Reason _____

Comments: _____

Custodian County Georgia

I, the undersigned (Deputy) Clerk of the Superior State Court in and for said county, do hereby certify that the above is a true and complete copy of the affidavit of custodian, a part of the official record of the trial of said defendant, as appears of record and from the minutes of said court.

Given under my official signature and the seal of said court this _____ day of _____, 20____.

(Deputy) Clerk

IN THE SUPERIOR COURT OF ~~CHEROKEE~~ CHEROKEE COUNTY, GEORGIA FINAL DISPOSITION
 CLERK OF SUPERIOR COURT
 CHEROKEE COUNTY, GA

STATE OF GEORGIA

VS.

2008 APR 29 AM 9:19

CASE NO. 08 CR 015A

PATTY BAKER, CLERK

OFFENSE(S) Enticing child in
 Indecent Displays
 Contributing to delinquency,
 Unlawful deprivation of
 minor

Cozy Lane Hubbard

Ten Adj. TERM, 2008

<input checked="" type="checkbox"/> PLEA	<input type="checkbox"/> VERDICT (JURY) (NON-JURY)	<input checked="" type="checkbox"/> OTHER DISPOSITION
<input checked="" type="checkbox"/> NEGOTIATED	<input type="checkbox"/> GUILTY ON COUNT(S) <u>I</u>	<input checked="" type="checkbox"/> HOLLE PROSECUI ORDER ON COUNT(S) <u>II</u>
<input type="checkbox"/> NOLO CONTENDERE ON COUNT(S)	<input type="checkbox"/> NOT GUILTY ON COUNT(S)	<input type="checkbox"/> DEAD BUCKET ORDER ON COUNT(S)
<input type="checkbox"/> (GUILTY) (NOLO) TO LESSER INCLUDED OFFENSE(S)	<input type="checkbox"/> GUILTY OF INCLUDED OFFENSE(S) OF	<input type="checkbox"/> COUNT(S) MERGES INTO COUNT
<input type="checkbox"/> ON COUNT(S)	<input type="checkbox"/> ON COUNT(S)	(SEE SEPARATE ORDER)

WHEREAS, it is the judgment of the Court that the defendant is hereby adjudged guilty of the above-stated offense(s); WHEREUPON, it is ordered and adjudged by the Court that the defendant is hereby sentenced to confinement for the period of Twenty years

in the State Penal System, or such other institution as the Commissioner of the Department of Corrections may direct, to be computed as provided by law.

IT IS THE FURTHER ORDER of the Court:

- 1) That the sentence may be served on probation as to CT. (s) _____
- 2) That upon service of Ten (10) years, the remainder of Balance may be served on probation;

IT IS FURTHER ORDERED that defendant pay a total FINE of \$ _____ and the following surcharges:
 P.O.S.F.: \$ _____, JAIL: \$ _____, V.A.P.: \$ _____, LAB: \$ _____, D.A.T.E.: \$ _____,
 I.D. FUND: \$ _____, D.U.I.: \$ _____, S.I.T.: \$ _____.

PROVIDED, that the defendant complies with the following general, special, and other conditions herein imposed as part of this sentence, including those special conditions listed on the reverse side of this sentence which by reference are made a part of this sentence. IT IS THE FURTHER ORDER of the Court, and the defendant is hereby advised, that the Court may at any time revoke or modify any conditions of this probation and/or discharge the defendant from probation. The defendant shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which is originally imposed or any portion thereof in the manner provided by law after deducting therefrom the amount of time the defendant has served on probation.

GENERAL CONDITIONS OF PROBATION

- 1) Do not violate the criminal laws of any governmental unit.
- 2) Avoid injurious and vicious habits; especially alcoholic intoxication, and use of narcotics or other dangerous drugs unless as prescribed lawfully.
- 3) Avoid persons or places of disreputable or harmful character.
- 4) Report to the Probation Officer as directed and permit such Officer to visit you at home or elsewhere.
- 5) Work faithfully at suitable employment insofar as may be possible.
- 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Officer.
- 7) Support your legal dependents, if any, to the best of your ability.

OTHER CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that defendant pay appointed ATTORNEY FEES as approved, not to exceed \$ _____, RESTITUTION of \$ _____, (less any amount paid by co-defendant(s)), and a \$ 37.00 monthly PROBATION FEE. All Court-ordered monies shall be paid to the Probation Office (Instantar) (within _____ days/months/years) (at the rate of \$ _____ per month), beginning (_____) (30 days after release) (while at Diversion Center) (as follows: _____). The Court will suspend \$ _____ of FINE upon defendant obtaining a (G.E.D.) (High School Diploma) or completing a (_____) within _____ months.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the defendant:

- X (1) Shall not take into his/her body any substance prohibited or controlled by any law of the State of Georgia or the United States except pursuant to a physician's prescription which shall be submitted to the Probation Officer for inspection and copy prior to ingesting any of the prescribed substances.
- X (2) Shall, from time to time, upon oral or written request by the Probation Officer or any law enforcement officer, produce a specimen of any bodily substance for analysis for the presence of a substance prohibited by any law of the State of Georgia or the United States.
- X (3) Shall submit to a search of his/her person, houses, papers, and/or effects as these terms of the Fourth Amendment to the United States Constitution are defined by the Courts, any time of the day or night, with or without a search warrant, whenever requested to do so by a Probation Officer or any law enforcement officer, and he/she specifically consents to the use of anything seized as evidence in any judicial proceedings or trial.
- X (4) Shall report all arrests for any reason to the Probation Officer within forty-eight (48) hours.
- X (5) Shall not possess any alcoholic beverages, firearms, or illegal controlled substances, nor occupy any residence or vehicle where such is present.
- X (6) Shall, at own expense, submit to an evaluation approved by the Probation Officer for (substance abuse) AND (emotional or mental disorder). If evaluation indicates a treatment need, defendant shall, at own expense, complete recommended treatment program as directed by the Probation Officer.
- X (7) Shall avoid contact, personal, by telephone, mail, or otherwise, with: Nicole Rainey
and family.
- (8) Shall perform _____ hours of Community Service at the rate of not less than eight (8) hours per week, or as otherwise directed by the Probation Officer.
- (9) Shall not refuse to testify, but shall testify fully and truthfully as to all circumstances of this case and any related matters.

X Other special conditions ordered by the Court are as follows:

Register as sex offender.
Serve probation sentence under S.O.S.P. conditions
abiding by all regulations of program.

The defendant was represented by the Honorable Scott Key, Attorney at Law.

SO ORDERED this 28 day of April, 2008. [Signature]
JUDGE, SUPERIOR COURT

CERTIFICATE OF SERVICE... This is to certify that a true and correct copy of this sentence has been delivered in person to the defendant, who has been duly instructed regarding the conditions as set forth herein.

This 28 day of April, 2008. [Signature]
PROBATION OFFICER

Copy received and instructions regarding sentence and conditions acknowledged.
This 28 day of April, 2008. [Signature]
PROBATIONER

SPECIALIZED OFFENDER SUPERVISION - SEX OFFENDER
IN THE SUPERIOR COURT OF CHEROKEE COUNTY, GEORGIA

THE STATE OF GEORGIA

VS.

Cory Hillard

FILED IN OFFICE
SUPERIOR COURT
CHEROKEE COUNTY
2008 APR 29 AM 9:19

CASE NO. 08 CR 0159

PATTY BAKER, CLERK

1. Defendant shall submit at his/her own expense to a sex offender evaluation and shall satisfactorily complete such treatment program as provided by The Highland Institute for Behavioral Change, Media Treatment Center, Behavioral Medicine Institute, Ponce De Leon Counseling Center or such agency as shall be approved by the Probation Officer. It shall be the responsibility of the defendant to submit programs and credentials for approval of alternatives. Defendant shall provide treatment progress reports and proof of attendance to the Probation Officer. Defendant shall participate fully and completely in treatment and shall not be uncooperative, disruptive, verbally abusive, late or absent without a valid excuse as approved by the treatment provider and the Probation Officer.
2. Defendant shall serve one (1) week in jail at his/her own expense for each unexcused absence from scheduled treatment, commencing within three (3) days of missed appointment.
3. Defendant shall pay for costs of mental health evaluation for victim and if counseling is recommended, the defendant shall pay costs as determined by the Court after a proper hearing.
4. Defendant shall have no contact with the victim to include telephone, mail, electronic mail, fax, or third person contact nor attempt to obtain information regarding the victim's whereabouts.
5. Defendant shall not occupy any residence or vehicle with any person under the age of EIGHTEEN (18) unless occupied by an adult APPROVED BY THE THERAPIST AND PROBATION OFFICER. If the victim is the defendant's wife/children, then he/she shall be required to live separately from them until otherwise recommended by the therapist and APPROVED BY THE COURT. He/she shall not visit his/her children under the age of EIGHTEEN (18) unless supervised by an approved adult.
6. Defendant shall not frequent any location including but not limited to recreation areas, movie theaters, day care centers, nurseries, school vehicles, amusement parks, athletic parks, or any such place as designated by the Probation Officer where children would be present. Defendant shall not hold any position of leadership or responsibility nor participate in any activity that involves contact with children.
7. Defendant is prohibited from working, volunteering, participating in, or having direct association whatsoever with any day care center or children's programs, including but not limited to programs involving sports, recreation, athletics, education, schools, pre-schools, school buses, school bus stops, Girl Scouts, Boy Scouts, youth choirs, youth programs, YMCA, YWCA, and any other volunteer program, activity or community service work involving direct contact with children under the age of 18.
8. Defendant shall not stalk, photograph, video or attempt same of a minor or any other person as designated by the Probation Officer.
9. Defendant shall answer all questions fully and truthfully and provide any necessary information to the Probation Officer.
10. Defendant shall maintain complete telephone service in the residence and shall not change the number without prior permission from the Probation Officer.
11. Defendant shall not possess or be in the presence of pornographic, cruel, or abusive materials which are described as but not limited to printed materials, photographs, films, videos, audio tapes, records or discs, computer discs, computer displays or transmissions, or movies, that display or depict anything of a sexual nature involving children unless approved by the treatment provider for treatment purposes. Such materials are further defined under the Georgia Criminal Code at 16-12-100 (Sexual Exploitation of Children). Being in possession of includes but is not limited to what is on the person, in the residence, or in the property of the person or under control of the person.
12. Defendant consents to the release of information to or from any person or agency as deemed necessary by the Probation Officer.
13. Defendant shall submit to a search of their person, place of residence, or belongings when directed by a Probation Officer or any law enforcement officer to include drug/alcohol screens. Any contraband or items prohibited under Condition #11 which are seized shall be used as evidence in any judicial proceedings and could result in new charges being filed.
14. Defendant shall submit at his own expense to a polygraph examination EVERY THREE MONTHS and consents to the use of examination results in any judicial proceeding.

-- CONTINUED ON REVERSE SIDE --

CLERK OF COURTS

- 15. Defendant shall not be allowed to participate in any Internet dating services during the period of probation.
- 16. Defendant will remain appropriately clothed when in public and when the potential for public view exists.
- 17. Defendant shall not linger or stop at any middle, elementary, or high schools nor at any school bus stops, amusement parks, playgrounds, and arcades.
- 18. Defendant is to submit to an HIV test, at his/her own expense, at the request of the Probation Officer.
- 19. Defendant shall be supervised during the entire period of probation unless otherwise ordered by the Court.

SO ORDERED this 28th day of April 2008.

Ben Wulfe
 JUDGE, SUPERIOR COURT

I, Ray H. H. H., do hereby state full and complete understanding of the above conditions and agree to abide by all Specialized Offender Conditions as outlined in the S.O.S. Order for a period of time as determined by the Court in lieu of incarceration in a State Penal Institution.

Ray H. H. H.
 DEFENDANT

4/28/08
 DATE

[Signature]
 PROBATION OFFICER

4-28-08
 DATE

SUPERIOR April 18 2008
CHEROKEE COUNTY, GEORGIA
DATE March 15 2008

STATE GA
AMOUNT 6000
TICKET/WARRANT NO. 07-5517EN
07-5518 MW

CHARGES Enticing Child for Immoral Purposes, Contributing to Delinquency of a Minor

RECEIVED

Be it known that Hubbard, Cory Lane Principal and Robert K Hubbard & Roger H Hubbard Surety are held and bound to His Excellency Benny Ransau, Governor of said State, and his successors in office, in the penal sum written above, for payment whereof we bind ourselves, our heirs, executors and administrators, jointly and severally.

CONDITIONS OF BOND

1. If the above bound principal shall personally be and appear before the Superior Court/State Court, or any other Court in which the cause may be transferred or pending, from day to day, and from term to term, to then and there answer to an indictment or other accusation for the offense(s) named above, or any included or related offense(s) therein with which he/she may stand charged and shall not depart therefrom without leave of the Court, then the above obligation to be null and void, also to remain in full force and effect; and
2. Principal and Surety agree and covenant that this bond is conditioned upon the appearance of the principal before the Court at the time fixed for his/her arraignment as required by the Code of Georgia Sec. 17-6-17 and Sec. 17-7-21; and
3. To better secure payment of this bond in the event of forfeiture, Principal and Surety agree for themselves, their families and as the head of their respective families to renounce and waive all right and benefit of the homestead exemption laws of this State, including both constitutional and legislative provisions, and each of us further assert that we have never taken or availed ourselves of any homestead or exemption under the laws of this State, or of the United States or elsewhere; and
4. If this bond charges real estate, surety affirms said real estate is that tract recorded by proper Warranty Deed to Court Book 1286

Page 256 of Lozano Cherokee County Superior Court Clerk's Office, or in that best described in the SO 07 Tax Receipt as being Debtor 12 Land Lot 30 (36A37) Parcel 1286 A copy of said Deed/ Tax Receipt is attached hereto and made a part hereof. Surety expressly intends to charge and encumber said real estate with this bond and shall assume a lien against said property and may be discharged or satisfied as provided by law. Surety further affirms that the current, unencumbered value of the property is at least equal to the amount of the bond, exclusive of the homestead exemption.

IN WITNESS WHEREOF, Principal and Surety have executed this bail bond at Canton, Georgia, Cherokee County on the date above.

Signed and Acknowledged in the presence of

Dickinson 04/15/08
Deputy Sheriff acting in behalf of Roger Gordon, Sheriff of Cherokee County, Georgia

Cory L Hubbard
Robert K Hubbard
PRINCIPAL'S SIGNATURE

4045 Old Pine RD
PRINCIPAL'S MAILING ADDRESS

Vadossn Ga 31605
CITY STATE ZIP

PHONE NUMBERS WORKHOME
PRINCIPAL: 229-247-8794

Robert K. Hubbard
1) SURETY'S SIGNATURE

WO _____

Roger H Hubbard
2) SURETY'S SIGNATURE

SURETY: 229-247-8794

3750 Cuckwood Dr.
SURETY'S MAILING ADDRESS

229-247-2860

Valdosta Ga 31602
CITY STATE ZIP

NOTE: SHOULD PRINCIPAL OR SURETY'S MAILING ADDRESS CHANGE, IT SHALL BE EACH INDIVIDUAL'S RESPONSIBILITY TO NOTIFY THE CLERK OF THE COURT IN WHICH THE CHARGES ARE PENDING.

NOTICE OF ARRAIGNMENT
(GA. Code Ann. 27-1401)

You are hereby commanded to appear at the (COUNTY/STATE) Court for the County of CHEROKEE, at 9:00 A.M. on the 18 day of April, 20 08, the date set by the Court for your arraignment upon the charge of See Above A-1 as described in (Warrant/Calls No.) (You will be read the formal charges and asked how you wish to plead.) **HEREIN FAIL NOT.**

WITNESS the Honorable Judges for the Blue Ridge Judicial Circuit, Judge Cherokee / State Court.
This 15 day of March, 20 08

Patly Baker
Superior/State Court
Cherokee County, Georgia

Notice served personally upon defendant Hubbard, Cory Lane
Dickinson
Deputy Sheriff

ACKNOWLEDGEMENT

Service of Arraignment Notice for appearance 18 day of April, 20 08 is hereby acknowledged.
This 15 day of March, 20 08

Robert K Hubbard
Defendant

WHITE ORIGINAL PINK/DISTRICT ATTORNEY YELLOW/DEFENDANT