

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA		INDICTMENT NO. 22SC183572
V.		JUDGE RACHEL R. KRAUSE
JEFFERY WILLIAMS, ET AL.		STATE'S RESPONSE TO DEFENDANTS' MOTION TO RECUSE CHIEF JUDGE URAL GLANVILLE

STATE'S RESPONSE TO DEFENDANTS' MOTIONS TO RECUSE CHIEF JUDGE
URAL GLANVILLE IN THE TRIAL OF THE ABOVE STYLED CASE

I. INTRODUCTION

Midway through this now months-long trial, Defendant Jeffery Williams and Defendant Deamonte Kendrick have each filed a motion to recuse Chief Judge Ural Glanville (hereinafter "Motions") and Defendant has filed a supplement to the Motions (hereinafter "Supplement").

The State recognizes that Chief Judge Glanville has reassigned the Motion and that it has been properly reassigned to this Honorable Court; but the State respectfully submits that at the time of reassignment Chief Judge Glanville did not make the three requisite determinations: (1) whether the Motion was timely filed; (2) whether any affidavit made in support of the Motion is legally sufficient; and (3) whether, if some or all of the facts set forth in the affidavit are true, recusal is authorized.¹

¹ See Henderson v. State, 295 Ga. 333, 333 (2014) (recognizing that "[o]nce a motion to recuse is filed with the trial judge whose recusal is sought, that judge must make three threshold determinations regarding the legal sufficiency of the motion: whether it was timely filed; whether the affidavit made in support of it...is legally sufficient; and whether, if some or all of the facts

Accordingly, it falls to this Honorable Court to make those determinations.²

As set forth below, though Defendant's Motion and Supplement are in-part timely, and the affidavits in support of Defendant's Motion and Supplement are in-part legally sufficient, none of the facts set forth in Defendant's affidavits, even if assumed to be true, would authorize recusal. Defendant's Motion and Supplement should therefore both be denied.

II. FACTUAL BACKGROUND

A. The Calling of State's Witness Kenneth Copeland on June 7

On June 6, 2024, in response to an inquiry from counsel for the defendants in this case, the State announced that Kenneth Copeland would be the State's next witness and would be called to testify on June 7, 2024. After the announcement, the State received an email from Jon Melnick claiming to represent Kenneth Copeland and instructing the State to cease communication with Mr. Copeland and that Mr. Copeland would be asserting his Fifth Amendment

set forth in the affidavit are true, recusal would be authorized...If all three of these conditions are met, the trial court must refer the motion to another judge to hear the motion to recuse ... If any one of the conditions is not met, the trial court does not err in denying the motion.")

² See Birt v. State, 256 Ga. 483, 484 (1984) (recognizing that "[s]ince [trial judge] had not made the three requisite determinations at the time the motion was reassigned...i.e., the timeliness of the motion, the legal sufficiency of the affidavit, and whether, assuming any of the alleged facts were true, recusal would be warranted -- and since ... he could not make such determinations after the motion had been referred to another judge, it was necessary and proper for the assignee judge to have made these determinations, which the alleged recusant judge was supposed to have made.")

privilege if called to testify on June 7.³ Perplexingly, given that Mr. Copeland was being called to testify against Jeffery Williams and Shannon Stillwell, who are represented respectively by Brian Steel and Max Schardt, Melnick copied Brian Steel and Max Schardt on his communication with the State regarding Mr. Copeland's intention not to testify.⁴

In preparation for trial Deputy District Attorney Hylton (Deputy Hylton), along with her investigator, had met with Mr. Copeland on multiple occasions, and at no time did Mr. Copeland state an intention to plead the Fifth or say that he was represented by Mr. Melnick. Nevertheless, after receiving Mr. Melnick's email Deputy Hylton ceased communication with Mr. Copeland until June 7, 2024.

Pursuant to **O.C.G.A. §24-5-507**, after receiving Mr. Melnick's email the State presented to Chief Judge Glanville a motion to compel the testimony of Kenneth Copeland, extending immunity to Mr. Copeland for his testimony, and to hold Mr. Copeland in contempt should Mr. Copeland refuse to testify after being ordered to do so by the Court after being granted immunity.⁵ The Court issued an order granting the State's motion.⁶

³ See Exhibit A, Melnick Emails, Page 1.

⁴ See Id.

⁵ See Exhibit B, Motion to Compel the Testimony of Witness Kenneth Copeland.

⁶ See Exhibit C, Order Compelling Testimony

On June 7, 2024, after court was called to order, Mr. Melnick appeared before the Court and informed the Court that Kenneth Copeland would be asserting a Fifth Amendment privilege against self-incrimination. In the presence of each defendant currently on trial, and each of their respective attorneys, Chief Judge Glanville called Mr. Copeland to the stand and explained to Mr. Copeland that the State had sought and been granted an order of the Court pursuant to O.C.G.A. 24-5-507 directing Mr. Copeland to testify and extending immunity for Mr. Copeland's compelled testimony. Chief Judge Glanville further explained to Mr. Copeland in the presence of every defendant currently on trial and each of their respective attorneys, that should Mr. Copeland refuse to testify he would be held in contempt of court and jailed until he purged himself of the contempt by testifying in court. Mr. Copeland thereafter stated his intention to testify, and Mr. Melnick looked toward Mr. Steel and Mr. Schardt and shrugged his shoulders.⁷

After motions hearings the Court recessed for lunch. During the lunch hour Mr. Melnick spoke with counsel for the defendants but at no time attempted to communicate with the State.

After lunch the jury was called in and Mr. Copeland took the stand. Mr. Copeland cheekily answered a few questions, and when

⁷See [LIVE: Young Thug YSL RICO Trial – GA v. Jeffery Williams et al – Day 87 \(youtube.com\)](#) at timestamps 1:12:50-1:28:42.

asked his age in years Mr. Copeland responded, "I plead the Fifth." The Court allowed no further questioning by the State and immediately excused the jury, held Mr. Copeland in contempt and ordered Mr. Copeland into custody. In open court, in the presence of all of the defendants currently on trial and in the presence of each defendant's respective attorneys, Chief Judge Glanville informed Mr. Copeland and Mr. Melnick that he would bring Mr. Copeland back into Court on Monday, June 10, 2024, to allow Mr. Copeland to purge himself of his contempt, by testifying. Mr. Melnick announced that he was going on vacation, would in no way be present on Monday, and would appoint stand-in counsel, Kayla Bumpus, to represent Mr. Copeland in court the following Monday.

B. The June 10, 2024, meeting regarding contempt proceedings initiated against Kenneth Copeland upon motion of the State, attended by counsel for Kenneth Copeland, attorneys for the State, Kenneth Copeland, and the Honorable Chief Judge Glanville

On Monday morning, prior to the start of court, the State requested from the Court an in-chambers meeting with counsel for Kenneth Copeland, Kenneth Copeland, the Court, and an attorney for the State, to discuss the contempt proceedings initiated against Mr. Copeland upon the State's motion. The Court granted the State's request; and upon being directed to do so by the Court, the court reporter made a record of the entire meeting. Present during the meeting were CDDA Love, Attorney Kayla Bumpus,

investigators for the State, and the Honorable Chief Judge Glanville, and, later, Kenneth Copeland and DDA Hylton.⁸

Matters addressed during the meeting concerned only the contempt proceedings against Mr. Copeland; and the topics addressed included topics Mr. Copeland's rights and representation as it relates to the proceedings; Mr. Copeland's obligations under O.C.G.A. 24-5-507; and answers to questions posed by Mr. Copeland regarding matters related to O.C.G.A. 24-5-507, such as the distinction between "purging" oneself of contempt as addressed by O.C.G.A. 24-5-507, and "perjury" as prohibited by O.C.G.A. 24-5-507.⁹ With the exception of the times where Mr. Copeland was afforded an opportunity to speak with Ms. Bumpus alone, **the entire meeting was taken down by the court reporter.**¹⁰

C. Brian Steel's defiance of the Court's commands and subsequent contempt ruling

After the meeting regarding Mr. Copeland's contempt and obligations under O.C.G.A. 24-5-507, Brian Steel stood in open court and demanded a mistrial as he loudly and repeatedly hurled at the Chief Judge Glanville accusations of misconduct. Most disturbingly, after accusing the Court of illegal activity, Mr. Steel repeatedly disobeyed the Chief Judge Glanville's commands to reveal the Mr. Steel's source of information regarding in-chamber

⁸ See Exhibit D, Transcript of June 10 meeting

⁹ See Transcript of the meeting

¹⁰ See Exhibit D

matters. After Mr. Steel refused to comply with the Court's instruction, the Court held Mr. Steel in contempt of court. After defiantly and repeatedly disobeying the Court and being held in contempt of Court, Brian Steel filed the Motion and Supplement.

III. ARGUMENT AND CITATION OF AUTHORITY

No "fact" set forth in Defendant's Motion or Supplement authorizes the recusal of Chief Judge Glanville

"To warrant disqualification of a trial judge, the affidavit supporting the recusal motion must give fair support to the charge of a bent of mind that may prevent or impede impartiality of judgment. To be disqualifying, the alleged bias must stem from an extra-judicial source and result in an opinion on the merits on some basis other than what the judge learned from his participation in the case. (Emphasis added.)"¹¹ "[T]here is a presumption that a trial judge, acting as a public official, faithfully and lawfully performs the duties devolving upon him."¹² "Determining whether an affidavit supporting a motion to recuse is legally sufficient, and whether the facts asserted authorize recusal...present questions of law."¹³

Here, with the exception of the Defendant Williams' untimely allegation regarding a single instance where Mr. Steel was chided

¹¹Turner v. State, 280 Ga. 174, 174 (2006)

¹²In the Interest of H. J. C., 331 Ga. App. 506, 508 (2015).

¹³Id.

by the Court for not being prepared, Defendants' Motions and the Supplement are based **ENTIRELY** on the defendants' assertions regarding the June 10, 2024, meeting regarding the contempt proceedings against Kenneth Copeland, and actions taken by Chief Judge Glanville after Mr. Steel defiantly refused to comply with the Court's repeated requests to provide the Court with information.

Ga. Code of Judicial Conduct 2.9 regarding ex parte communications provides that "Judges shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. (Emphasis added.)" However, **NO DEFENDANT on trial in this case had or has any legal interest in or any standing to be involved in the State's motion to compel the testimony of Kenneth Copeland or any subsequent contempt proceedings initiated on motion of the State, involving Kenneth Copeland's refusal to testify.**¹⁴ Since no defendant in this

¹⁴ See Allen v. State, 336 Ga. App. 80, 81 (2016) (citing King v. State, 273 Ga. 258, 264- 265 (2000) in holding that Appellant had no standing to contest the grant of use immunity to a witness); see also King v. State, 273 Ga. 258, 264- 265 (2000) (ruling, after Appellant complained that the trial court acted improperly by conducting a brief hearing outside his presence concerning the State's request for an order compelling a witness to testify at trial and confirming the use and derivative use immunity that would apply to that compelled testimony, that the hearing in question was not a part of the proceedings against Appellant and that while Appellant "might have preferred that a key witness not be ordered to testify truthfully in his trial, there is nothing in Georgia law that would have permitted him to object to the State's request for the order or that would suggest that [Appellant's] rights were the subject matter under consideration" and Appellant had no standing to address the matter of the hearing outside his presence.)

case had a right to be present at the June 10, 2024, in-chambers meeting with Kenneth Copeland and his counsel regarding the contempt proceedings against Kenneth Copeland,¹⁵ the fact of the meeting provides no grounds for recusal of Chief Judge Glanville.

Respectfully submitted this 10th day of July, 2024.

/S/Adriane L. Love

Adriane L. Love
Chief Deputy District Attorney
Fulton County District Attorney's Office
Bar No. 458998

136 Pryor Street SW
Third Floor
Atlanta, Georgia 30303
(404) 612 - 4868

¹⁵ See Id.

EXHIBIT A

From: [Jonathan Melnick](#)
To: [Hylton, Simone](#); [Love, Adriane](#)
Subject: Re: KENNETH COPELAND PROPOSED BOND ORDER
Date: Friday, June 7, 2024 11:56:16 AM

This Message Is From an External Sender

This message came from outside Fulton County Government. Use caution with links/attachments.

My concern is for my client. Had I been involved I would have demanded a much more specific immunity deal. You need him much more than he needs you. You've put him in a terrible position where you know his life is in danger whether in custody or on the street. He's a marked man from this point forward. Go fuck yourself if you think I'm doing anything besides protecting my client.

On Friday, June 7, 2024 at 11:53:37 AM EDT, Love, Adriane <adriane.love@fultoncountyga.gov> wrote:

Is your concern for your client or for Mr. Steel's and Mr. Schardt's?

“If you want to go fast, go alone, if you want to go far, go together”.

-African Proverb

Adriane L. Love

(she/her/hers)

CHIEF DEPUTY DISTRICT ATTORNEY

HP PLUS UNIT

Fulton County District Attorney's Office

136 Pryor Street SW

Third Floor

Atlanta, Georgia 30303

(404) 612-4868

From: Jonathan Melnick <attorneymelnick@yahoo.com>
Sent: Friday, June 7, 2024 11:52 AM
To: Hylton, Simone <Simone.Hylton@fultoncountyga.gov>; Love, Adriane <Adriane.Love@fultoncountyga.gov>

Subject: Fw: KENNETH COPELAND PROPOSED BOND ORDER

Here is a communication between myself and Ms. Love which pertains directly to the YSL case.

----- Forwarded Message -----

From: Love, Adriane <adriane.love@fultoncountyga.gov>

To: attorneymelnick@yahoo.com <attorneymelnick@yahoo.com>; Rosser, Sheila Y. <Sheila.Rosser@fultoncountyga.gov>

Sent: Friday, March 3, 2023 at 08:35:08 AM EST

Subject: RE: KENNETH COPELAND PROPOSED BOND ORDER

Good Morning Ms. Rosser,
The State asks that the Defendant be required to sign the conditions in front of a NOTARY or a sheriff's official so that we can enforce the conditions upon his release, since he was not apprised by the Court in person.

From: Jonathan Melnick <attorneymelnick@yahoo.com>

Sent: Thursday, March 2, 2023 4:42 PM

To: Love, Adriane <Adriane.Love@fultoncountyga.gov>; Potter, Abigail <Abigail.Potter@fultoncountyga.gov>; Rosser, Sheila Y. <Sheila.Rosser@fultoncountyga.gov>

Cc: Abbate, Adam <Adam.Abbate@fultoncountyga.gov>

Subject: Re: KENNETH COPELAND PROPOSED BOND ORDER

Here are both proposed bond orders.

Thank you all.

Jon Melnick

On Thursday, March 2, 2023, 03:04:49 PM EST, Rosser, Sheila Y. <sheila.rosser@fultoncountyga.gov> wrote:

Received.

The court is awaiting Mr. Melnick's response.

Thanks.

Sheila Rosser

Litigation Manager

To The Hon. Judge Paige Reese Whitaker

Superior Court of Fulton County| Justice Center Tower

185 Central Avenue, SW Suite T-5855| Courtroom 5D| Atlanta, GA 30303

Tel 404 612 3743| Fax 404 612 2573|Sheila.rosser@fultoncountyga.gov

From: Love, Adriane <Adriane.Love@fultoncountyga.gov>
Sent: Wednesday, March 1, 2023 6:49 PM
To: Potter, Abigail <Abigail.Potter@fultoncountyga.gov>; Rosser, Sheila Y. <Sheila.Rosser@fultoncountyga.gov>; Jonathan Melnick <attorneymelnick@yahoo.com>
Cc: Abbate, Adam <Adam.Abbate@fultoncountyga.gov>
Subject: Fw: KENNETH COPELAND PROPOSED BOND ORDER
Importance: High

Ms. Rosser,

Please find attached the proposed bond order agreed to by the State and Mr. Melnick. I am attaching in Word format so that the Court can revise where necessary. The two orders have only one distinction - one contains the curfew provision that the Court originally ordered and the other does not. The State does not object to either and Mr. Melnick asks that the curfew provision be removed. I have explained to Mr. Melnick that since the Court originally ordered the curfew, the Court must decide whether or not to keep it. Other than the curfew, Mr. Melnick finds the proposed order acceptable. Please let us know the Court's decision, as part of the Order contains a requirement for the defendant's signature acknowledging his understanding of all the provisions and restrictions of the bond and Mr. Melnick will visit Mr. Copeland to obtain his signature this week. Have a wonderful evening!

Adriane

From: Love, Adriane
Sent: Wednesday, March 1, 2023 6:21 PM
To: attorneymelnick@yahoo.com <attorneymelnick@yahoo.com>
Cc: Hylton, Simone <Simone.Hylton@fultoncountyga.gov>
Subject: FW: KENNETH COPELAND PROPOSED BOND ORDER

Good evening Jon,

I have attached a version of the bond order both with and without the curfew that the Judge ordered. In order to facilitate the expeditious signing of an order, please present them both to your client for his signature so that we can get an order signed even if the Court insists on her curfew restriction.

Have a good evening!

Adriane

Adriane L. Love

Chief Deputy District Attorney

Fulton County District Attorney's Office

HP+ High Profile Cases Division

136 Pryor Street SW

Atlanta, Georgia 30303

(404) 612 – 4868

EXHIBIT B

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA		INDICTMENT 22SC183572
V.		CHIEF JUDGE URAL GLANVILLE
JEFFERY WILLIAMS ET AL.		EX-PARTE MOTION TO COMPEL TESTIMONY PURSUANT TO O.C.G.A. § 24-5-507

**EX-PARTE MOTION FOR ORDER TO COMPEL TESTIMONY NECESSARY TO THE
PUBLIC INTEREST**

Pursuant to O.C.G.A. § 24-5-507, the State of Georgia, by and through Fani T. Willis, District Attorney of the Atlanta Judicial Circuit, and the undersigned Chief Deputy District Attorney, Adriane L. Love, hereby moves this Honorable Court to compel a material witness, Kenneth Copeland, to provide testimony in the trial of the above styled case. Further, in the event that said witness refuses to testify after being ordered to do so by this Honorable Court, the State moves this Honorable Court to hold said witness in contempt of Court pursuant to O.C.G.A. § 24-5-507(b) and have said witness committed to the Fulton County Jail until such time as the witnesses purges himself of contempt by testifying as ordered by this Honorable Court. In support of this motion the State shows this Honorable Court the following.

I.

On January 10, 2015, Donovan Thomas, Jr. was gunned down and murdered at 330 McDaniel Street in Atlanta, Georgia. Reginald Hendricks and 14-year-old Cordarius Sanders were also struck by bullets during the shooting.

II.

The Fulton County Medical Examiner's Office determined that Thomas, Jr.'s cause of death was gunshot wounds to the torso and determined that his manner of death was homicide.

III.

Firearms evidence recovered from Thomas Jr.'s body and from the scene where Thomas Jr. was gunned down –330 McDaniel Street in Atlanta, Georgia – reveal that a 7.62 rifle and at least one handgun were used in the murder of Thomas Jr. and the shooting of Hendricks and Sanders.

IV.

Surveillance footage recovered from businesses in the area where the shooting occurred reveal that Thomas Jr., Hendricks, and Sanders were assailed by gunfire that originated from the sunroof (and possibly window) of a passing vehicle as the vehicle traveled west on McDaniel Street at around 7:22 PM on Sunday, January 10, 2015.

V.

In the early morning hours following Thomas Jr.'s death, Kenneth Copeland appeared at the Atlanta Police Department Headquarters building and requested a meeting with police to report his whereabouts during the time of the murder and to report that his family was being targeted by people that, according to Copeland, apparently believed that Copeland was responsible for the murder of Thomas Jr.

VI.

In the days and weeks and months following Thomas Jr.'s murder, Copeland gave 6 recorded statements to law enforcement – one of which was over 9 hours long – detailing Copeland's involvement with the criminal street gang YSL and statements of YSL co-conspirators about the involvement of YSL members in the murder of Thomas Jr. and other criminal activity. Copeland gave a detailed account of the events that led up to the murder of Thomas Jr., as well as

his own involvement in said events, and of the events and acts committed by Copeland and other YSL members in the months following Thomas Jr.'s murder.

VII.

Phone records of Copeland and other YSL members corroborate the statements that Copeland gave to the police. Statements made by YSL co-conspirators also corroborate the statements that Copeland gave to the police.

VIII.

Based in part upon the statements that Copeland gave to police, 5 YSL members were indicted for the murder of Donovan Thomas, Jr. and 28 members of YSL were indicted for violation of the Racketeer Influenced and Corrupt Organizations Act.

IX.

In the judgment of the Honorable Fani T. Willis, District Attorney of the Atlanta Judicial Circuit, the testimony of Kenneth Copeland is necessary to the public interest. *See* O.C.G.A. § 24-5-507(a).

X.

O.C.G.A. § 24-5-507 provides that

Whenever in the judgment of the Attorney General or any district attorney the testimony of any person or the production of evidence of any kind by any person in any criminal proceeding before a court or grand jury is necessary to the public interest, the Attorney General or the district attorney may request in writing the superior court to order such person to testify or produce the evidence. Upon order of the court, such person shall not be excused on the basis of the privilege against self-incrimination from testifying or producing any evidence required, but no testimony or other evidence required under the order or any information directly or indirectly derived from such testimony or evidence shall be used against the person in any proceeding or prosecution for a crime or offense concerning which he or she testified or produced evidence under court order. However, such person may nevertheless be prosecuted or subjected to penalty or

forfeiture for any perjury, false swearing, or contempt committed in testifying or failing to testify or in producing or failing to produce evidence in accordance with the order but shall not be required to produce evidence that can be used in any other court of this state, the United States, or any other state. Any order entered under this Code section shall be entered of record in the minutes of the court so as to afford a permanent record thereof, and any testimony given by a person pursuant to such order shall be transcribed and filed for permanent record in the office of the clerk of the court.

(b) If a person refuses to testify after being granted immunity from prosecution and after being ordered to testify as set forth in this Code section, such person may be adjudged in contempt and committed to the county jail until such time as such person purges himself or herself of contempt by testifying as ordered without regard to the expiration of the grand jury. If the grand jury before which such person was ordered to testify has been dissolved, such person may purge himself or herself by testifying before the court. (Emphasis added.)

O.C.G.A. § 24-5-507 (LEXIS 2024)

XI.

Kenneth Copeland has been subpoenaed to testify in the above styled case. Copeland is the next witness scheduled to testify in this case on June 7, 2024, beginning at 9:00 AM. On June 4, 2024, and June 5, 2024, investigators with the Office of the Fulton County District Attorney coordinated and arranged with Kenneth Copeland to provide Copeland transportation to court on Friday, June 7, 2024. However, on Thursday, June 6, 2024, after an encounter with defense team members and members of the Fulton County District Attorney's Office, Copeland stated to an investigator and to an attorney with the Office of the Fulton County District Attorney that Copeland may attempt to plead the Fifth in order to avoid testifying against members of YSL.

XII.

Pursuant to O.C.G.A. § 24-5-504, Copeland "*shall not be excused on the basis of the privilege against self-incrimination from testifying or producing any evidence required,*" and "no testimony or other evidence required under the order or any information directly or indirectly

derived from such testimony or evidence shall be used against [Copeland] in any proceeding or prosecution for a crime or offense concerning which he or she testified or produced evidence under court order. However, [Copeland] may nevertheless be prosecuted or subjected to penalty or forfeiture for any perjury, false swearing, or contempt committed in testifying or failing to testify or in producing or failing to produce evidence in accordance with the order but shall not be required to produce evidence that can be used in any other court of this state, the United States, or any other state.” See O.C.G.A. § 24-5-507(a).

XIII.

Accordingly, the State of Georgia hereby moves this Honorable Court to direct material witness Kenneth Copeland to testify in the trial of the above styled case until released by this Honorable Court from the subpoena compelling said material witness to appear and testify before this Honorable Court. Further, should said witness refuse to testify after being granted immunity from prosecution pursuant to O.C.G.A. § 24-5-507 and ordered to testify pursuant to O.C.G.A. § 24-5-507, the State moves this Honorable Court to hold said material witness Kenneth Copeland in contempt of Court and commit said witness to the Fulton County Jail until such time as the witness purges himself of contempt by testifying as ordered. See O.C.G.A. § 24-5-504(b).

Respectfully submitted this 7th day of June 2024.

/S/FANI T. WILLIS
FANI T. WILLIS
District Attorney
Atlanta Judicial Circuit
Georgia Bar Number: 223955

/s/ Adriane L. Love
Adriane L. Love
Chief Deputy District Attorney
Atlanta Judicial Circuit
Georgia Bar Number: 458998

EXHIBIT C

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA		INDICTMENT 22SC183572
V.		CHIEF JUDGE URAL GLANVILLE
JEFFERY WILLIAMS ET AL.		ORDER COMPELLING WITNESS TESTIMONY PURSUANT TO O.C.G.A. § 24-5-507

ORDER PURSUANT TO O.C.G.A. § 24-5-507

The State of Georgia having moved this Court pursuant to O.C.G.A. § 24-5-507 to compel the testimony of witness Kenneth Copeland; and District Attorney Fani T. Willis having determined that the testimony of Kenneth Copeland is necessary to the public interest;¹ Kenneth Copeland having been properly subpoenaed to appear before this Court to testify;² and the State of Georgia having provided to this Court sufficient reason in support of its motion to compel the testimony of Kenneth Copeland,³ this Court finds that Kenneth Copeland has been properly subpoenaed to appear before this Court to testify in the trial of the instant case and that the testimony of said Kenneth Copeland is necessary to the public interest.

Accordingly, **IT IS HEREBY ORDERED** that witness Kenneth Copeland **shall appear before this Court beginning Friday June 7, 2024, at 9:00 AM** and provide testimony in the trial of the above styled case, and shall continue to appear and testify until released by this Honorable Court.

Further, pursuant to O.C.G.A. § 24-5-507(a) said Kenneth Copeland **shall not be excused on the basis of the privilege against self-incrimination from testifying or producing any**

¹ See O.C.G.A. § 24-5-507 (a) (providing that “whenever in the judgment of the Attorney General or any district attorney the testimony of any person or the production of evidence of any kind by any person in any criminal proceeding before a court or grand jury is necessary to the public interest, the Attorney General or the district attorney may request in writing the superior court to order such person to testify or produce the evidence.”)

² See Exhibit A (Certificate of Personal Service).

³ See Attached Ex-Parte Motion to Compel Testimony Pursuant to O.C.G.A. § 24-5-507.

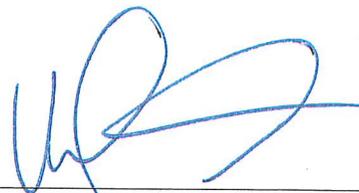
evidence required. *However, no testimony given by Kenneth Copeland as required under this Order or any information directly or indirectly derived from the testimony of Kenneth Copeland given by Kenneth Copeland as required under this Order shall be used against said Kenneth Copeland in any proceeding or prosecution for a crime or offense concerning which he testifies under this Order.*

Kenneth Copeland **shall** be subject to prosecution or to penalty or forfeiture for any ***perjury, false swearing, or contempt committed in testifying or failing to testify*** in accordance with this Order. However, IT IS ORDERED that Kenneth Copeland shall **not** be required to produce evidence that can be used in any other court of this state, the United States, or any other state.

Finally, **IT IS ORDERED** that should said Kenneth Copeland refuse to testify after this Order is entered, said Kenneth Copeland shall be subject to being adjudged in contempt of this Court and shall be subject to commitment by this Court to the Fulton County Jail until such time as said witness purges himself of contempt by testifying as ordered to do so by this Court and this Order.

This Order shall be entered of record in the minutes of this court and any testimony given by Kenneth Copeland pursuant to this order shall be transcribed and filed for permanent record in the office of the Fulton County Clerk of Superior Court.

SO ORDERED this 7th day of June 2024.



HON. URAL GLANVILLE
Chief Judge
Fulton County Superior Court
Atlanta Judicial Circuit

Prepared by:
/s/ Adriane L. Love
Adriane L. Love
Chief Deputy District Attorney
Atlanta Judicial Circuit
Georgia Bar Number: 458998

EXHIBIT D

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)
)
 vs.)
)
 MARQUAVIUS HUEY,)
 DEAMONTE KENDRICK,)
 QUAMARVIOUS NICHOLS,)
 RODALIUS RYAN,)
 SHANNON STILLWELL,)
 JEFFERY WILLIAMS,)
)
 Defendants.)
)
 _____)

CASE NO.: 22SC183572

Transcript of the Ex Parte Hearing
in the Chambers of the Honorable Ural D. Glanville
on June 10, 2024

Kristina Weaver, RPR, CCR-B-1785

185 Central Avenue, S.W.
Suite T-8955
Atlanta, Georgia 30303
(404) 612-0525

A-P-P-E-A-R-A-N-C-E O-F C-O-U-N-S-E-L

On Behalf of the State:

ADRIANE LOVE
SIMONE HYLTON
Assistant District Attorneys

On Behalf of Kenneth Copeland:

KAYLA BUMPUS
Attorney at Law

1 (The Ex Parte Hearing began at 9:10 a.m. Present in
2 chambers were Judge Glanville, Assistant District Attorney
3 Adriane Love and Attorney Kayla Bumpus, Court Reporter
4 Kristina Weaver, and Investigators Antonio Long and Rasheed
5 Hamilton.)

6 THE COURT REPORTER: Okay. I'm ready whenever you
7 are.

8 MS. LOVE: Thank you. The concern that we wanted to
9 bring to the Court's attention as the State was two-fold.

10 One, we wanted to have the opportunity to impress
11 upon Mr. Copeland with representation present that he
12 faces -- and we wanted to give him an opportunity to ask
13 whatever questions he wanted to ask before he was sort
14 of -- we had to pull him in the courtroom when the jury
15 came out.

16 The second concern that I have is and I wanted to
17 bring to the Court's attention in line with the concern
18 that I expressed on the record on Friday, I don't know what
19 advice counsel may have offered or may be offering. That
20 is their right and their business.

21 As it relates to testifying, however, I do not
22 believe that criminal exposure is a concern that is --
23 which interest is being spoken about and protected.

24 Mr. Melnick relayed to Ms. Hylton on Friday that he
25 had never heard of the statute 24-5-507. And on Friday he

1 sent an email. I don't know if he intentionally copied
2 Mr. Steel and Mr. Schardt. I don't know if he
3 unintentionally put my name on it. But he sent an email to
4 Mr. Steel and Mr. Schardt with me and Simone copied where
5 he said: This is the communication that I received from
6 Ms. Love regarding Mr. Copeland.

7 My response was: Whose interests are you protecting,
8 yours or Mr. Steel's -- whose clients -- which client are
9 you protecting? Whose client, yours or Mr. Steel's and
10 Mr. Schardt's? He wrote back and said, "You are going to
11 get him killed. You have made him -- you are making him a
12 target. Fuck you," is what he wrote in the email.

13 So given that his concern is that by testifying, at
14 least the one that he conveyed to me in writing, it's
15 not -- his concern has nothing to do with exposure from the
16 State. And if his concern --

17 THE COURT: His being whose concern?

18 MS. LOVE: Mr. Melnick. If the interest that he is
19 protecting is Mr. Copeland's freedom, he did not convey it
20 by asking us what exposure does he face in testifying. In
21 fact, if he's concerned that testifying will get
22 Mr. Copeland killed and he is not communicating with us,
23 he's communicating with counsel for defendants, it would
24 seem that he knows a thing or something that we don't know.

25 Additionally, and I will let Ms. Bumpus tell you, he

1 has said if Mr. Copeland testifies, he's no longer
2 representing Mr. Copeland, which is strange because if your
3 interest is your client, then it would seem you would want
4 to be there for him while he is testifying.

5 THE COURT: Well, he is on vacation this week.

6 MS. LOVE: I understand. That is why he has
7 Ms. Bumpus here, and he has said what he has said.

8 And as I was reading the statute, the thing that
9 is -- and I was reading the statute about this particular
10 situation, and I was reading our rules, our ethics rules,
11 rules of conduct for attorneys. And it is clear that if an
12 attorney -- there were two things that were happening.

13 One, Mr. Melnick had told me that he wasn't
14 Mr. Copeland's lawyer. Mr. Copeland had told Ms. Hylton
15 that Mr. Melnick wasn't representing him. And then rather
16 than Mr. Copeland reaching out to Mr. Melnick, Mr. Melnick
17 apparently was in communication with Mr. Steel and
18 Mr. Schardt, and Mr. Melnick reaches out to Mr. Copeland
19 and injects himself in these proceedings.

20 What we were discussing was in no way a matter that
21 Mr. Melnick was representing Mr. Copeland on, and that is
22 where we are not allowed to speak with a person when they
23 are represented by counsel. Mr. Melnick was not, could not
24 have been representing Mr. Copeland on anything we were
25 talking about because we were talking about this case and

1 this trial.

2 All that aside, we would like an opportunity for the
3 Court to address Mr. Copeland with Mr. Copeland's stand-in
4 counsel present -- Ms. Bumpus is looking at me like --

5 MS. BUMPUS: I'm listening.

6 MS. LOVE: With his stand-in counsel present and to
7 allow Ms. Bumpus an opportunity to explain to Mr. Copeland
8 everything that I have just said.

9 Her concern outside was what is the longest he can
10 stay in jail. What I relayed to her is the statute says
11 until he purges --

12 THE COURT: By testifying.

13 MS. LOVE: -- his contempt by testifying.

14 THE COURT: Yeah. 507 is a little bit different.
15 So, I mean --

16 MS. BUMPUS: So until the end of this?

17 THE COURT: He can be here until the end of the
18 trial.

19 MS. BUMPUS: That is what I said. To the end of
20 trial is the longest?

21 MS. LOVE: No, it's not the longest. Even after a
22 grand jury -- if a person has been subpoenaed to testify
23 before the grand jury, and even after the grand jury has --
24 what is it, convened? Has left? Has left, that person can
25 stay in until that person purges himself of contempt by

1 testifying. The statute literally says that.

2 MS. BUMPUS: Well, I'm going to look it up because it
3 was my understanding that it was until the end of trial.

4 MS. LOVE: Nope. Uh-uh. Here it is. Literally the
5 words of the statute. And so --

6 THE COURT: He could be in there a while. Let's put
7 it that way. Either way --

8 MS. BUMPUS: I just want to be able to give him --

9 THE COURT: I know. I know. It's kind of the
10 statute says, you know, that you purge, but I can't keep
11 him in there indefinitely. I've got to kind of --

12 MS. BUMPUS: Right. That is all I want to know.

13 THE COURT: You know, the whole thing is that he
14 can -- he has the keys to his own freedom, and that freedom
15 is if he just gives his testimony, then he's purged it.

16 MS. BUMPUS: Right.

17 MS. LOVE: And, you know, whatever that testimony is.
18 We know what we believe it to be, but, you know, we don't
19 know what it is. We can't talk about it. We don't, you
20 know -- I mean, we don't know what he's going to say. We
21 have an idea. We know what he's told us.

22 MS. BUMPUS: Yeah.

23 MS. LOVE: And our concern is that if his -- our
24 concern -- I know the Court said essentially, you intimated
25 that you -- that Mr. Melnick probably told him essentially

1 you should testify, they are not going to -- they can't do
2 anything with your testimony.

3 But what we overheard being said was, "They are going
4 to hammer you," as if we were going to expose Kenneth
5 Copeland to --

6 MS. BUMPUS: You heard that?

7 MS. LOVE: Yes. Yeah. Mr. Melnick told Mr. Copeland
8 we're going to hammer him.

9 THE COURT: Now, to be fair, and I think Ms. Bumpus
10 as an advocate or anybody has got to tell him he's going to
11 face some pretty significant cross-examination.

12 MS. BUMPUS: Yeah. I think that's what he meant.

13 THE COURT: I mean, he's going to face -- he's got
14 about ten --

15 MS. LOVE: So he meant the defense is going to hammer
16 him?

17 MS. BUMPUS: No. Just in general he's going to be --
18 it's not going to be a: Hey, da, da, da, da.

19 MS. LOVE: He knew that. He had already been
20 expressing that.

21 THE COURT: But, I mean, I think that if he's
22 concerned about that, well, you know, but -- it's all in
23 the message and the packaging in terms of I think
24 Mr. Copeland is, you know, a savvy person. But, you know,
25 he's certainly going to be subject to a thorough and

1 sifting cross-examination.

2 MS. LOVE: And the other thing is that --

3 MS. BUMPUS: Can I just say something in Attorney
4 Melnick's defense in response, just for the record?

5 MS. LOVE: Yes.

6 MS. BUMPUS: The reason that he doesn't want to move
7 forward with representation, what I have been told, if he
8 decides to testify is that he doesn't feel like he can --
9 he doesn't know what was said outside of his presence, so
10 he doesn't feel like he can adequately represent him or
11 counsel him because he doesn't know what was told to the
12 State when he wasn't there.

13 MS. LOVE: But the thing is that the only thing that
14 he should be concerned about is the criminal exposure or
15 the exposure that Kenneth Copeland has criminally, and
16 there is nothing. There is literally nothing. The statute
17 is quite clear that we can do to him about -- the only
18 thing that would put him in harm's way is a lie and a
19 refusal to testify after being ordered to do so by the
20 Court.

21 And by a lie, we don't mean, like, oh, I think you
22 lying. You know, it would have to be, you know, something
23 obvious, you know, because we can always impeach. But if
24 he literally perjures himself, that's something different.
25 We can't help that. We can't control that. We would only

1 say: Tell the truth. I don't care how bad it is, just
2 tell the truth.

3 So, you know, like he says: I didn't go down to the
4 police station.

5 THE COURT: And I think part of his challenge,
6 Ms. Bumpus, may be that you need to assure him, "Look, I'm
7 going to be here. And if you think that they are asking
8 you a question," they being the State or the defense, "is
9 asking you a question that's going to bring out other
10 crimes," that you're going to -- he's going to be able to
11 look to you and say, "Can I have a chance to talk with
12 you?"

13 MS. LOVE: That's exactly right.

14 MS. BUMPUS: Uh-uh.

15 MS. LOVE: See, but that's just it.

16 MS. BUMPUS: No, he's not.

17 MS. LOVE: Hold on. Hold on. Hold on.

18 That's just it, Judge. The problem is that there's
19 been an assertion that people are representing --

20 And I'm not talking about you.

21 MS. BUMPUS: Yeah.

22 MS. LOVE: There's been an assertion that people are
23 representing his -- that their biggest concern is his best
24 interest, and then they are just not here? And Ms. Bumpus
25 is saying she's not in a position to do that?

1 MS. BUMPUS: No, I'm not saying I'm not in a
2 position. I'm saying that the agreement between
3 Mr. Copeland and Melnick, who I'm standing in for, is that
4 if he chooses to testify, I'm to get him to sign this paper
5 that says that then discharges Melnick as his rep -- that's
6 their agreement. I can't do nothing about that.

7 MS. LOVE: That sounds weird. That does not sound
8 like something in Mr. Copeland's best interest. That
9 sounds like protecting somebody else's best interest. "If
10 you talk, I can't -- I ain't going to -- I'm not going to
11 represent you," I don't even know what to do with that.

12 MS. BUMPUS: Well, he said he does not know what was
13 said.

14 MS. LOVE: It doesn't matter what was said.

15 MS. BUMPUS: Right, right.

16 MS. LOVE: It doesn't matter. And he didn't ask us.
17 He didn't even inquire, "What have you-all talked about?"
18 He has been talking to Brian Steel and Max Schardt. That's
19 it. He is not talking to us.

20 And, in fact, when Mr. Copeland asked to speak with
21 us, Mr. Melnick barges in and gets between Ms. Hylton and
22 Mr. Copeland and literally keeps us from talking to him
23 before he gets called to the stand. And that's troubling.

24 MS. BUMPUS: Well, I think what happened was -- and I
25 say this because I previously represented Mr. Copeland

1 previously on his other stuff. So I know when he -- this
2 is just what I think happened.

3 I think how Attorney Melnick came involved was his
4 representation of other -- because he took my place.
5 Copeland fired me and hired Melnick, and then this came
6 about. And I think so at the beginning Melnick was
7 representing him, and then --

8 MS. LOVE: In his criminal matter that he had, but
9 that's resolved.

10 MS. BUMPUS: But when this case started, Melnick
11 called me and told me that he was representing him as a
12 witness at the beginning. I can assert that.

13 MS. LOVE: Melnick has never in life --

14 MS. BUMPUS: This is two years ago.

15 MS. LOVE: Melnick didn't -- as a matter of fact,
16 less than two years ago when Copeland was sitting in jail,
17 sitting in jail for something else he had done, Melnick
18 said, "I don't represent him." He told me, "I don't
19 represent him." And people were in the room. He was on
20 speaker. He told me he didn't represent him.

21 Now he ultimately did come about and represent him,
22 but when we were trying to get, I guess --

23 MS. BUMPUS: Something, yeah.

24 MS. LOVE: -- Copeland was, like, "He's not my
25 lawyer. I don't have a lawyer. He's not my lawyer." And

1 then --

2 MS. BUMPUS: Are you talking about recently?

3 MS. LOVE: So recently Copeland said that Melnick was
4 not his lawyer.

5 MS. BUMPUS: Right.

6 MS. LOVE: When Copeland was in jail, Melnick told me
7 he wasn't his lawyer. But our understanding was that
8 Melnick was his lawyer for those criminal charges. And so
9 the person that came in and argued or at least stood in for
10 him on his bond and then on his subsequent plea was
11 Melnick.

12 But I don't know whose interest he would be
13 representing when he's not talking to us about what we've
14 spoken to Copeland about. He could ask us and we would
15 tell him. You know, so I don't know why he would withdraw
16 his representation of him. If his interest is Kenneth
17 Copeland, then why would you pull out --

18 THE COURT: That doesn't make sense.

19 MS. LOVE: -- at the point where he would face the
20 most peril if that is his concern? If his concern is, "I
21 don't know what they talked about so I don't know what" --

22 THE COURT: And I thought that Ms. Hylton had a list
23 of questions for Mr. Copeland anyway.

24 MS. LOVE: She did.

25 THE COURT: Well, how come you-all can't --

1 MS. LOVE: He didn't ask to see those. He didn't --
2 and not only that --

3 THE COURT: Well, can't you-all share that with
4 Ms. Bumpus?

5 MS. LOVE: Well, Ms. Hylton has already shared it
6 with Mr. Copeland, and we certainly will share it generally
7 speaking.

8 MS. BUMPUS: Can I read this email that Melnick sent
9 me? I don't know if this will help you understand what
10 he's saying.

11 It says: Hey, Kayla. I wasn't able to see Kenneth
12 today.

13 He went on Saturday and tried to talk to him before
14 his flight.

15 But I have talked to his family. So at first Kenneth
16 was going to testify but has now decided to take the Fifth.
17 He may change his mind on Monday. If he does, then he's
18 agreed to discharge me as his attorney. This isn't out of
19 bad feelings, but I was not present when he met with the
20 DA's office so I can't really help him with his testimony.

21 And then he gave me the discharge and told me that if
22 he decides to testify, then he's to sign this.

23 MS. LOVE: And that's just it. It's like you never
24 know what somebody is going to ask. And if he's concerned
25 about putting him in legal jeopardy, then he -- it would

1 seem like he would remain and allow Mr. Copeland access to
2 counsel when Mr. Copeland is concerned that he's about to
3 walk into an area that puts him in legal jeopardy.

4 MS. BUMPUS: You can't switch how he gets called?

5 MS. LOVE: See, that's not in Mr. Copeland's best
6 interest. That's in the defendant's best interest.

7 When you say switch in how he gets called, what does
8 that have to do with anything?

9 MS. BUMPUS: I don't know. Maybe he's saying he
10 can't do it because he can't get his refundable ticket.

11 MS. LOVE: That is not what he said in that email to
12 you, and that is not what he relayed to the Court. And his
13 concerns have nothing to do with --

14 THE COURT: He was very much --

15 MS. BUMPUS: I tried to go back and watch as much as
16 I could.

17 THE COURT: -- telling me what he was -- that he was
18 going on vacation. And I said, "Well, you inserted
19 yourself in this." I said, "Really you need to come on
20 Monday."

21 MS. LOVE: So he can't force Mr. Copeland to
22 discharge him just because Mr. Copeland decides to testify.

23 THE COURT: I think you are in until it's done. I
24 mean, you know --

25 MS. BUMPUS: Who me?

1 THE COURT: Yeah. I mean, that's just -- if he
2 testifies, you've got to kind of --

3 MS. LOVE: And frankly, your Honor, I know that if a
4 person faces criminal contempt, they are entitled to
5 representation if they want it. This being a civil
6 contempt matter --

7 THE COURT: Not necessarily. Anybody who's facing
8 contempt can get counsel. I mean, you know, not anybody,
9 but --

10 MS. BUMPUS: I can't stay. How long is this going to
11 take?

12 MS. LOVE: It might take some days.

13 MS. BUMPUS: Uh-uh.

14 MS. LOVE: And see that's just it. And I don't
15 mean -- I think Ms. Bumpus is put in a precarious position.
16 She's not the one that stood up and injected herself into
17 this. They reached out to her, and she did him a favor.

18 But ultimately it seems as if Mr. Melnick is stalling
19 and attempting to delay and hamper and hinder our
20 proceedings, and that is a problem because that has nothing
21 to do with the best interest of Kenneth Copeland, and that
22 has nothing to do with Kenneth Copeland's exposure if he
23 testifies.

24 Just to answer the question about what he is exposed
25 to, the statute is very, very clear. It literally says

1 that no testimony or any evidence required under the
2 Court's order or any information directly or indirectly
3 derived from such testimony or evidence shall be used
4 against the person in any proceeding or prosecution for a
5 crime or offense concerning which he testified or produces
6 evidence under the Court order.

7 That is saying even if he got on the stand and
8 said --

9 THE COURT: He started talking about an unrelated
10 crime, which is what the biggest thing I think he's
11 probably thinking about is that, yeah, there's a lot of
12 stuff they could ask me about --

13 MS. LOVE: Right.

14 THE COURT: -- that is not known to a lot of people
15 and that -- you know, he could also invoke his Fifth
16 Amendment, with the advice of counsel, if it was some other
17 particular crime. But --

18 MS. LOVE: But even that, we wouldn't -- even --

19 THE COURT: Even that, he'll still have to testify.

20 MS. LOVE: Literally -- right. The saw lays --

21 THE COURT: Yeah. I mean, anything he testifies
22 to --

23 MS. LOVE: -- we do this.

24 MS. BUMPUS: Okay. And then about the delay or
25 stall, isn't it true or is it not true that he had a leave

1 filed since December?

2 MS. LOVE: We have nothing to do with any of that.
3 He injected himself into this.

4 THE COURT: Yeah. See the problem is --

5 MS. LOVE: He stepped in.

6 THE COURT: -- that when you get involved, I don't
7 know you have a leave --

8 MS. LOVE: Right. You --

9 THE COURT: -- and unless you filed that leave into
10 this case, you don't have a leave for my case.

11 MS. LOVE: Right.

12 MS. BUMPUS: Okay, okay.

13 MS. LOVE: And he did not.

14 THE COURT: So he didn't have one.

15 MS. LOVE: Mr. Copeland's been a witness and a name
16 on this witness list since --

17 THE COURT: So since he said, "Well, I represent
18 him," I'm like, "Okay. Well, you don't have a leave that's
19 filed in our case."

20 MS. BUMPUS: Okay, okay.

21 MS. LOVE: So he did this to himself and he did it to
22 you. But we have to -- you know, that is just where it is,
23 and I don't know that -- that's just where we are.

24 MS. BUMPUS: So, Judge, you are going to make me stay
25 if he chooses to testify?

1 THE COURT: I am because he -- you're his lawyer.
2 You're his lawyer. You're a stand-in lawyer at this point.

3 MS. BUMPUS: Your Honor, I don't have a problem with
4 that. I just -- I'm not ready.

5 MS. LOVE: If --

6 THE COURT: There's nothing for you to be ready
7 about. I mean, here's the thing. I think the only thing
8 you've got to kind of ask him about is, look, here is the
9 questions the State is going to ask you. All right. Is
10 there anything else that could hurt you that they might ask
11 you about? And as long as you have knowledge of that, then
12 I think that you are fine because the State's only going to
13 get into this.

14 Now, the reason you want to know what's going to hurt
15 you is the defendants know more about Kenneth Copeland than
16 anybody else, so they are probably going to kind of --

17 MS. BUMPUS: What about if I say I can't do it? Then
18 Melnick needs to come back, right? Am I going to be in
19 trouble? Because I was only for Monday. That's what I was
20 told. I was given specific . . .

21 MS. LOVE: If Copeland said -- I don't know what
22 Mr. Copeland wants. It's his choice.

23 MS. BUMPUS: Can't he say he doesn't want Melnick?

24 MS. LOVE: He can say whatever he wants. It's his
25 choice.

1 MS. BUMPUS: But the judge is saying --

2 MS. LOVE: I don't think he can be forced to have
3 representation if he doesn't want, need, or say he wants
4 it, because we have offered -- we have done everything to
5 clear him of judicial exposure. He's not -- there is
6 nothing he can say -- he could lie. That puts him in, you
7 know --

8 THE COURT: Peril.

9 MS. LOVE: -- peril. But, you know, he can't talk
10 about a crime that we could then prosecute him for.

11 THE COURT: That is involving this or some other
12 place.

13 MS. LOVE: Right.

14 MS. BUMPUS: I understand that but --

15 MS. LOVE: And we can't use his testimony to go find
16 evidence to prosecute him for the stuff he talks about.
17 Basically he is literally shielded.

18 MS. BUMPUS: I would have to agree with you that I
19 don't think that that's the concern. Isn't that what you
20 said?

21 MS. LOVE: Well, the Court said that --

22 MS. BUMPUS: No. I'm saying with Mr. Copeland not
23 testifying. You said you don't think that his concern is
24 criminal exposure, or you do think that is what he's
25 worried about?

1 THE COURT: Do you think that he's fearful of
2 testifying for other reasons, like for his personal safety?

3 MS. BUMPUS: Right.

4 MS. LOVE: That is what Mr. Melnick said to me in an
5 email I can pull up. He said, --

6 MS. BUMPUS: But you don't believe that --

7 MS. LOVE: -- "You are going to get him killed."
8 That's what he said. We ain't gonna kill him.

9 MS. BUMPUS: See, I don't know anything about that
10 email.

11 MS. LOVE: We ain't gonna kill him. I can show you
12 the email, but we're not going to kill Kenneth Copeland.
13 So who is he talking about? So what are you trying to do?

14 THE COURT: That is a collateral second and
15 third-order effect. You know, let's pray it doesn't happen
16 but --

17 MS. LOVE: I mean, obviously he --

18 THE COURT: -- first he has to give testimony though.
19 I mean, that's what he has to do. He's got to give the
20 testimony whatever it is: Good, bad, or indifferent.
21 Good, bad, or indifferent, I should say.

22 MS. LOVE: So we would like with the Court's
23 permission -- they haven't brought him over, and he was
24 supposed to be the first one up, so I guess they went to
25 get him. They might be over here with him now.

1 THE COURT: Is he here now?

2 MS. LOVE: I don't know.

3 (Judge Glanville exited chambers at 9:33 a.m.)

4 MS. LOVE: We would like to just go into another
5 courtroom and talk to him, give you a chance to talk to
6 him, and then give you an opportunity to explain to him --

7 THE COURT REPORTER: We're off the record.

8 (Brief recess.)

9 (Judge Glanville and Mr. Chamberlain entered chambers
10 at 9:34 a.m.)

11 MS. LOVE: Ms. Hylton has been communicating with
12 him. I'd like to grab her from downstairs and have her
13 come up.

14 THE COURT: Where is Mr. Copeland?

15 MR. CHAMBERLAIN: They took him upstairs to the tank
16 in 9.

17 THE COURT: Okay. Can we bring him out to -- can
18 we --

19 MR. CHAMBERLAIN: Your chambers is being used -- I
20 mean, your courtroom is being used.

21 THE COURT: Let's bring him in here.

22 MR. CHAMBERLAIN: All right. So let me see if I can
23 get that done.

24 THE COURT: Let's bring him in here. Okay. Thank
25 you. We'll just bring him in here.

1 (The proceedings stood in recess from 9:34 a.m. to
2 10:03 a.m.)

3 (Mr. Copeland entered chambers at 10:03 a.m. Also
4 present were Judge Glanville, Assistant District Attorney
5 Simone Hylton and Attorney Kayla Bumpus, Court Reporter
6 Kristina Weaver, Investigators Antonio Long and Rasheed
7 Hamilton, and Deputy Houston, Deputy McPherson,
8 Sergeant Brown, and Sergeant Hall with the Fulton County
9 Sheriff's Department.)

10 THE COURT: Okay.

11 MR. COPELAND: Can you let him know I got a hearing
12 problem?

13 MS. BUMPUS: Okay. He said can -- he is hard of
14 hearing.

15 THE COURT: That makes two of us. I've got a hearing
16 aid that's coming on the 27th of January -- I mean, of
17 June. So I'll try and talk loud. Is it okay if I --

18 MR. COPELAND: Yeah. I can read lips.

19 THE COURT: Okay. Good, good. Mr. Copeland, good
20 morning.

21 MR. COPELAND: Good morning.

22 THE COURT: All right. I just wanted to bring you
23 over and let you talk with Ms. Bumpus and see if there is
24 anything that you need to ask of your counsel or Ms. Hylton
25 or the State or the Court before we bring you out this

1 morning because it is -- we would like to hear your
2 testimony, and that is kind of where we are at this point
3 in time.

4 So is there anything you want to ask?

5 MR. COPELAND: Well, I want to speak to you
6 personally that I have never been truthful a day in my life
7 until I just made this statement right now. I don't
8 comprehend none of this stuff that's going on.

9 THE COURT: Okay. Well, the only thing you can give
10 is truthful testimony. I mean, whatever you know is
11 whatever you know. I mean, that's it.

12 MS. HYLTON: And what we'll say -- and Mr. Copeland
13 and I, we have talked about this. I'm not sure what your
14 concerns are, what concerns that you expressed to
15 Mr. Melnick last week. But if you are -- if any of your
16 concerns deal with being locked up for anything, you can't.
17 Like there's nothing that can happen. The feds --

18 MS. BUMPUS: Well, that's not --

19 MS. HYLTON: It is true.

20 MS. BUMPUS: No. I said that's not his concern.

21 MS. HYLTON: If his concern is safety, we need to
22 know that. Like that's not expressed, so we don't know
23 what the concern is so that we can try to resolve the
24 concern.

25 This is what I'm saying. Mr. Copeland and I have had

1 conversations before. I understand some of his concerns is
2 potential criminal liability, hence why we gave you
3 immunity. The federal statute of limitations, done. The
4 state statute of limitations, done.

5 So there is nothing -- like I researched it this
6 weekend again. Both those statute of limitations for what
7 you and I talked about, which is in 2015 or before, done.
8 You cannot be prosecuted for anything you testify federally
9 or statewide. Immune, period.

10 So if that is the concern, there is none because you
11 cannot be prosecuted. The federal statute of limitations
12 is five years. So anything in 2015, five years would have
13 been in 2020. Anything statewide is four years. It would
14 have been 2019. Finished.

15 Next concern: What may happen in the street? You
16 know what we have talked about, what we can do as far as
17 living and all of that. We have had those conversations.

18 So I'm trying to express to you we do not want you
19 locked up. I don't know how many times I've got to tell
20 that to you, what I've got to say to you. We do not want
21 you sitting in DeKalb or whenever they got you because of
22 this.

23 I know you wanted to talk to me on Friday before you
24 walked into court. We weren't able to talk. If you still
25 want to talk with or without Ms. Bumpus, I'm here, but we

1 do not want you in custody.

2 You will not -- this order, I don't know if you kept
3 your copy of the order, but this order says you are immune
4 from prosecution, any of it. Literally -- Judge, you might
5 want to close your ears -- if you confess to a murder on
6 the stand, if we don't have any other independent evidence
7 outside of what you say on the stand, you are immune from
8 prosecution from what you say in court.

9 So, again, I don't know what was communicated to you
10 on Friday. I have no idea. But what the State has assured
11 you, which I have assured you in our private conversations
12 with Mr. Long, as I'm saying in front of Ms. Bumpus, as I
13 told you, that is what this order says.

14 THE COURT: And that is direct or cross-examination.

15 MS. HYLTON: And that is direct or cross-examination.

16 THE COURT: So if you are worried about what the
17 defendants may ask you because they may know your business,
18 but if they ask you about things that you might think you
19 might have some liability with, you can't be prosecuted for
20 any of those.

21 MR. COPELAND: I got family members watching this
22 trial, and I don't want my nephew and them to hear the
23 things that I may be involved in and think it's okay.

24 MS. HYLTON: But I think that's a separate
25 conversation you can have with them as an honest

1 individual, like, "Look, nephews, I done lived the life
2 that I don't want you to live. Don't go through what I've
3 been through."

4 But that's not -- that's something you can have
5 outside of being in jail because that's a better
6 conversation you can have with your nephews in person.

7 But they shouldn't have to come to the DeKalb County
8 Jail because you are being held in contempt. You can have
9 that conversation with your nephews tomorrow in person.
10 You can have that conversation with them. You can have
11 that conversation with anybody. You know what's coming up
12 this weekend. Why are we in jail? What are we doing?

13 MR. COPELAND: But y'all did this intentionally.

14 MS. HYLTON: No, we did not. You and I had this
15 conversation, Mr. Copeland, on Friday morning.

16 MR. COPELAND: You knew my child birthday was next
17 week.

18 MS. HYLTON: But what did I tell you? When we met
19 with each other, I said to you -- you asked me, "What is
20 the one thing that's going to get me in jail?" Didn't you
21 ask me that? And what was my response? "If you plead the
22 Fifth." And that is exactly what you did on the stand.

23 MR. COPELAND: But what did I tell you before I got
24 to that point? I told you the whole time Tuesday,
25 Wednesday, Thursday --

1 MS. HYLTON: But I told you we were giving you
2 immunity.

3 MR. COPELAND: -- that I was pleading the Fifth.

4 MS. HYLTON: No, you did not.

5 MR. COPELAND: I told you every day I was pleading
6 the Fifth.

7 MS. HYLTON: No, you did not, and we told you --

8 MR. COPELAND: I told you my concern.

9 MS. HYLTON: And we said we could give you immunity.
10 You said your concern is what they know about you. And
11 when you said that, I said, "Well, you know stuff about
12 them." And then I said, "Whatever your concerns are, we
13 can give you immunity."

14 MR. COPELAND: So I didn't tell you I lied on them to
15 get myself out of the situation?

16 MS. HYLTON: You said you were a liar. That's what
17 you said. You said you were a liar.

18 MS. BUMPUS: Was this recorded?

19 MS. HYLTON: No, no.

20 MS. BUMPUS: And did he ever say that Melnick was his
21 attorney?

22 MS. HYLTON: No. This week -- when we first met you
23 in the car on Friday, we asked you, "Is Mr. Melnick your
24 attorney?" You said, "He's not my attorney. I haven't
25 even talked to him."

1 MR. COPELAND: No, I never said he's not my attorney.
2 I said I haven't talked to him.

3 MS. HYLTON: You said he's not your attorney, you
4 haven't talked to him. Then we continued to have a
5 conversation. At no point did you ever say to us, "Hey, I
6 want Mr. Melnick here. Hey, put Mr. Melnick on the phone."

7 MR. COPELAND: You didn't make me feel like I needed
8 him.

9 MS. HYLTON: But if you needed him, we would have
10 said -- if you would have needed Mr. Melnick, we would have
11 said to you, "Okay, just call him."

12 So, I mean, that is our position. We don't want you
13 in jail. We just want you to be able to purge yourself by
14 testifying. Whatever your truth is is what your truth is,
15 but you've just got to answer the questions.

16 We believe that your -- whatever your truth is is
17 what your truth is. We know what you said before. I don't
18 know what you're going to say on the stand. But what we
19 know is pleading the Fifth is going to keep you in custody.
20 That's what I know. Now, how you answer your questions is
21 how you answer your questions.

22 I know what you said before, and I know what you said
23 later -- I mean, I know what you said before, and I don't
24 know what you are going to say on the stand because you and
25 I never went into full details about any of it. But what I

1 don't want is you to be sitting here in custody.

2 MR. COPELAND: You did it.

3 MS. HYLTON: I did not do it. You did it by pleading
4 the Fifth.

5 MR. COPELAND: You told me -- before you went to the
6 judge with whatever the thing called you went to him with,
7 you told me that I can't -- when I'm asked a question, I
8 can say, "I don't recall," or "I don't know." You told me
9 that if I plead the Fifth -- I mean, something -- why would
10 I plead the Fifth to something I ain't do? And I said that
11 you don't know what I did and what I ain't do, and then you
12 was like something.

13 And then y'all asked for this immunity, and I was
14 like -- it was something. And then Friday -- Thursday or
15 Friday came, and then y'all go tell me, "Oh, we went to the
16 judge with this so you got to testify. If you don't
17 testify, the judge gonna lock you up."

18 MS. HYLTON: Right. But that was based upon what
19 you --

20 MR. COPELAND: But I told y'all that.

21 MS. HYLTON: No, you didn't.

22 MR. COPELAND: You said, "Why would I plead the Fifth
23 to something I didn't do?" And I said, "You don't know
24 what happened."

25 MS. HYLTON: And I said, "I don't know what happened.

1 Only you know and them know", I said. But you never said,
2 "I am pleading the Fifth." You said, "What if I do this?
3 What if I do this? What if I do this?"

4 MR. COPELAND: I told you, I said I'm going to plead
5 the -- you said, "Why would you plead the Fifth to
6 something that you know you didn't do?"

7 MS. BUMPUS: So if you didn't have immunity prior to,
8 is that what you are saying, that you feel like -- he
9 didn't have immunity prior to --

10 MR. COPELAND: Immunity came Friday right when I went
11 to jail.

12 MS. HYLTON: The immunity only came after
13 Mr. Melnick --

14 MS. BUMPUS: Hold on, hold on.

15 MS. HYLTON: The immunity came after Mr. Melnick sent
16 us an email saying, "My client is pleading the Fifth."
17 That was on Thursday evening at 6:00.

18 MS. BUMPUS: Okay.

19 MS. HYLTON: So after that, that was an emphatic, "He
20 is pleading the Fifth."

21 MS. BUMPUS: Uh-huh.

22 MS. HYLTON: We came and we got this signed.

23 MS. BUMPUS: Uh-huh.

24 MS. HYLTON: And then Friday morning came.

25 MS. BUMPUS: Okay.

1 MS. HYLTON: So between Friday evening, Mr. Melnick
2 reached out to us, said he represents him, he's pleading
3 the Fifth.

4 MS. BUMPUS: Okay. And when was the last time you
5 talked to him before Melnick got involved?

6 MS. HYLTON: We talked to him earlier that day on
7 Thursday.

8 MS. BUMPUS: Okay. And then how did -- (Speaks
9 inaudibly to Mr. Copeland.)

10 MR. COPELAND: He called me.

11 MS. BUMPUS: Okay. I was just trying to get a
12 timeline.

13 MS. HYLTON: Sure. Right. So we have been talking
14 since last Friday. So I met with Mr. Copeland last Friday
15 I think out in the neighborhood. Then he came on Tuesday
16 for court. We talked briefly on Tuesday. And then on
17 Wednesday he came.

18 MR. COPELAND: Thursday.

19 MS. HYLTON: No -- I think he only came two days, so
20 it had to be Wednesday and Thursday he came. It wasn't
21 Tuesday. It was Wednesday and Thursday he came.

22 And then on Thursday, once we left is when
23 Mr. Melnick reached out to us and said, "My client is
24 pleading the Fifth." And at that point is when we went the
25 next morning and got the immunity motion.

1 And then we spoke on Friday morning. I handed
2 Mr. Copeland this agreement and let him know that he has
3 immunity and that anything he says we can't use. And then
4 Mr. Melnick came, and then we had court.

5 MS. BUMPUS: So you are pretty much saying you didn't
6 ask for this?

7 MR. COPELAND: I didn't.

8 MS. HYLTON: But we gave it. He doesn't have to ask
9 for it.

10 MS. BUMPUS: I know. I mean, he's just saying --

11 MS. HYLTON: Right. He doesn't have to ask for it,
12 but to alleviate whatever his concerns were, we gave him
13 immunity. He didn't have to ask for it.

14 MS. BUMPUS: So if he wouldn't have had this -- I'm
15 just saying this so he can understand it. I'm walking him
16 through.

17 MS. HYLTON: Uh-huh.

18 MS. BUMPUS: Would he still have had to testify, or
19 would he have been able to plead the Fifth? That's what
20 he's saying.

21 MS. HYLTON: If he did not have immunity?

22 MS. BUMPUS: Yes.

23 MS. HYLTON: Yes, he could plead the Fifth.

24 MR. COPELAND: That's what I'm --

25 MS. BUMPUS: That's what he's trying to say. He's

1 trying to say he didn't ask for this.

2 MS. HYLTON: But he doesn't have to ask for it. Now
3 that we have given it to him -- because that's on us. So
4 now that we have given it to him, it's an order. He can
5 still choose -- if he's -- if this is the road he wants to
6 take, then he'll just stay in custody until the trial is
7 over. And when we say the trial is over, every last
8 defendant has been tried. Not just these six, the other
9 ones too.

10 MR. COPELAND: I done did longer time.

11 MS. HYLTON: All right. Mr. Copeland, I'm telling
12 you that you are literally immune from prosecution from
13 anything else you may say. That's that.

14 So the choice is always up to you, but we wanted to
15 put on the record the State does not want you in custody.
16 What the State would like you to do is purge yourself
17 from --

18 MR. COPELAND: What purge yourself mean?

19 MS. HYLTON: Meaning that you are no longer in
20 custody, and the way that you purge yourself is to testify.
21 That is kind of how it happens, and that is what the State
22 wants you to do. We don't want you in custody. I can't
23 say that any other different way, but we don't want you in
24 custody. The only thing that's holding you is you refusing
25 to testify.

1 THE COURT: So do you have any questions, any other
2 questions? Basically if you invoke the Fifth --

3 MR. COPELAND: I don't trust -- I don't trust -- I
4 don't know what's going on. I don't trust nobody. I trust
5 her word, but I don't know what's going on, your Honor.

6 MS. HYLTON: This is your insurance. I don't know if
7 you want to break that down to him.

8 MS. BUMPUS: Well, he doesn't want that.

9 THE COURT: But he's been given it. See, that's the
10 challenge, Mr. Copeland, is that if they didn't give you
11 the immunity, you could invoke your Fifth Amendment
12 privilege.

13 But what the State decided is they said your
14 testimony is worth more to them at this point in time and
15 they really want to know what you have to say. So they
16 have made a -- from the State's perspective, they have made
17 a decision to give you immunity so you no longer can invoke
18 your Fifth Amendment privilege. You have to testify.

19 So that's the difference in this particular scenario,
20 is that they have taken away -- well, you can still invoke
21 your Fifth Amendment privilege. You still can do that, but
22 the consequence of invoking it is you will just remain in
23 custody.

24 So if you testify, you get out of custody and you
25 stay out of custody until you are done.

1 MR. COPELAND: And then if I don't testify, I have to
2 stay in until when?

3 THE COURT: Until the trial is over. Until all the
4 defendants have been -- I've got these six that we have
5 right now, and then there's another six.

6 MS. HYLTON: No, there's another 12.

7 THE COURT: There's another 12 or thereabouts that
8 are still outstanding in various forms or another.

9 MR. COPELAND: Can I speak with her for a second?

10 THE COURT: Yeah, sure.

11 (Judge Glanville, Assistant District Attorney Simone
12 Hylton, Court Reporter Kristina Weaver, and Investigators
13 Antonio Long and Rasheed Hamilton left chambers at
14 10:17 a.m. and returned at 10:33 a.m.)

15 MR. COPELAND: My question is -- I can ask you a
16 question?

17 THE COURT: Yes.

18 MR. COPELAND: So my question is -- so what I was
19 just asking her was if you ask me a question and you feel
20 as in I was lying about it, you will lock me back up?

21 MS. HYLTON: No. If you -- so you are saying you
22 say, "I didn't talk to Damekion" -- well, no, I can't talk
23 about that because the judge is in here.

24 You are asking, for example, if you said before that
25 the sky was blue, and I asked you on the stand, "What color

1 is the sky," and you say, "I said it was red," I'm going to
2 say, "No, back before you said it was blue." Is that what
3 you are trying to ask me?

4 MS. BUMPUS: Uh-uh. So explain the independent
5 evidence. If he says he did something, and you know he's
6 not telling the truth, what happens?

7 MS. HYLTON: If he said he did something and he did
8 not do that thing?

9 MS. BUMPUS: If you believe he did not, so if you
10 believe that he's lying about that.

11 MS. HYLTON: Then no. If he admits to doing
12 something on the stand --

13 MS. BUMPUS: Uh-huh.

14 MS. HYLTON: -- and he did not do that thing --

15 MS. BUMPUS: Uh-huh.

16 MS. HYLTON: -- I'm going to say, "Is this the first
17 time you are saying that?"

18 MS. BUMPUS: And you have independent evidence to
19 prove it wasn't him, then what?

20 MS. HYLTON: Then nothing. What do you mean, like?

21 MS. BUMPUS: So then he will be fine?

22 MS. HYLTON: Yes, but --

23 MS. BUMPUS: So you are okay with him if he got on
24 the stand and said things that weren't true?

25 MS. HYLTON: No. I want him to tell the truth. What

1 have I always said to you? I want you to tell the truth.
2 I don't know what's going to come out your mouth. I expect
3 you to tell the truth.

4 If you say something that is inconsistent with what
5 you said before, then I'm going to ask about the
6 inconsistencies. But I expect you to tell the truth.

7 What you go on the stand and do, I don't know. I
8 don't know what you are going to do. I want you to tell
9 the truth. But I will deal with you not -- you saying
10 something different in the manner that I normally do.

11 MR. COPELAND: If I'm saying something different,
12 right -- so when the police question me, they done question
13 me every time they lock me up. I don't know how many times
14 that was. I done told them whatever different story I
15 could think of to try to finesse my way out of the
16 situation. I don't recall what I done told them.

17 MS. HYLTON: Okay. So you can say, "I don't recall."
18 That is how that works, "I don't recall".

19 MS. BUMPUS: And he can say that to every single
20 question?

21 MS. HYLTON: I would hope that that is not the truth
22 because I think there are some things you do recall and
23 some things you don't. But the things you don't recall,
24 you don't recall. And then I will go through my process of
25 what I do.

1 You can talk to him about what impeachment is. That
2 won't get you locked up. Impeachment will not get you
3 locked up. You can talk to him about what impeachment is.
4 If he says, "I don't recall --

5 MR. COPELAND: What will get me locked up?

6 MS. HYLTON: What did I tell you?

7 MR. COPELAND: I don't know.

8 MS. HYLTON: What you did on Friday, "I plead the
9 Fifth." If the Court instructs you --

10 MR. COPELAND: So the only thing that gets me locked
11 up is pleading the Fifth?

12 MS. BUMPUS: Yes.

13 MS. HYLTON: The Court instructs you, "You need to
14 answer the question," you say again, "I plead the Fifth,"
15 again you -- that's what's going to get you locked up.

16 But if you answer the question, that will not get you
17 locked up.

18 MR. COPELAND: So if you don't want me in jail, why
19 you just don't let me go after the trial over with?

20 MS. HYLTON: You are in jail because you are not
21 answering the questions.

22 THE COURT: Because you have been given immunity.

23 MS. HYLTON: Because you have been given immunity.
24 You are only in jail because you got up here --

25 MR. COPELAND: Well, what about this? I answer the

1 questions. You take away immunity, I answer the questions,
2 and I plead the Fifth --

3 MS. HYLTON: No --

4 MR. COPELAND: -- to questions that I feel
5 incriminate me.

6 MS. HYLTON: But then that's --

7 MR. COPELAND: I won't plead the Fifth to things that
8 don't incriminate me.

9 THE COURT: The State can still give you immunity.
10 They can give immunity to whoever they want, okay, and they
11 can make that choice. I don't even make that choice.

12 So if they -- like I said earlier, they want your
13 testimony. They figure it's -- that the jury needs to hear
14 what you have to say good, bad, or indifferent.

15 And what Ms. Hylton is telling you is just tell the
16 truth as you know it and let her worry about -- I mean,
17 even though you may have said different versions of
18 whatever, that's for impeachment. That's not going to get
19 you in trouble.

20 What will get you in trouble is you not -- is you
21 just invoking your Fifth Amendment privilege because you
22 have been given immunity. Or as Ms. Love said this
23 morning, remember -- Ms. Love said if you lie, if you
24 overtly lie about something, like if you tell a bold-faced
25 whopper, then they can indict you on that particular

1 charge -- I mean, that particular false statement.

2 MR. COPELAND: That's what they're going to do.

3 MS. BUMPUS: That is what I was saying. You will be
4 right back here.

5 MS. HYLTON: But if you say something that you know
6 you did not do, like you admit to something you know you
7 did not do, whether you --

8 MR. COPELAND: Like murder don't have, like, no
9 statute of limitations, right?

10 MS. HYLTON: But if you didn't do it, I can't charge
11 you with something you didn't do because I don't have any
12 other evidence but you saying it.

13 MR. COPELAND: But y'all don't, like --

14 MS. BUMPUS: You can charge him with false statements
15 and he will be back in jail. That is what I'm trying to
16 say.

17 MS. HYLTON: But if I know that you are lying about
18 that, I do not intend to do that. If I know right now he's
19 lying, I know he's lying, I'm not going to charge you
20 because I don't know your reason for doing that. But I'm
21 not going to charge you when I know you didn't do what you
22 are trying to say you did now. And that can be a part of
23 this. I know you didn't do it.

24 MR. COPELAND: But it's up to the judge to do that.

25 MS. HYLTON: No. It's up to the State to bring

1 charges.

2 THE COURT: I don't have anything to do with that.

3 MS. HYLTON: He has nothing to do with bringing
4 charges. That's up to the State of Georgia.

5 MR. COPELAND: Can I call -- can I talk to my family,
6 and I will make my decision right after I hang up the
7 phone?

8 MS. BUMPUS: He's saying he hasn't been able to speak
9 to anybody.

10 MS. HYLTON: His sister just called us. She --

11 MR. COPELAND: Y'all done me wrong. Y'all just hold
12 me in the jail, don't let me get no PIN number, no nothing.

13 MS. HYLTON: We have no knowledge. We did not know
14 that you --

15 MS. BUMPUS: He hasn't been able to do anything,
16 speak to anyone.

17 MR. COPELAND: The jail system down but y'all still
18 putting people in.

19 MS. HYLTON: That part I don't know. I know we have
20 been in communication with your sister. Your sister
21 actually texted Ms. Lansiquot to make sure you were okay.
22 We told her we physically had laid eyes on you.

23 I'll leave that up to the sheriffs. I don't know.

24 (Brief pause.)

25 MR. COPELAND: So what you think what she's saying?

1 MS. HYLTON: I can tell you right now --

2 MR. COPELAND: I'm talking about that locking me back
3 up.

4 MS. HYLTON: We would have to bring charges. There
5 would be no incentive --

6 MR. COPELAND: Y'all will.

7 MS. HYLTON: We've already had this discussion.

8 MR. COPELAND: Look what you did to me? You waited
9 until Friday and did this. I done told you every day
10 before Friday came that I was pleading the Fifth.

11 MS. HYLTON: No, you did not. As a matter of fact,
12 our last --

13 THE COURT: Mr. Copeland, Mr. Copeland, let's see if
14 we can get beyond this, okay, beyond what your concern is.

15 You could have invoked the Fifth Amendment privilege.
16 The State could have turned around and said, "Stop," had
17 me -- go ahead and filed that motion and given you
18 immunity. It was going to -- I mean, they make that
19 decision. They decided to make it on Friday.

20 So even if you would have been more comfortable
21 testifying and invoking your Fifth Amendment privilege,
22 they could decide you as a witness, they want your
23 testimony more than they do you invoking your Fifth
24 Amendment privilege so they give you immunity.

25 They gave you immunity, so you've got to testify

1 truthfully as to what your knowledge of the particular
2 incident is.

3 I mean, so they were going to -- they could have done
4 that anyway. Even if they put you on the stand, they could
5 have said, "Stop", and gone ahead and given you immunity.
6 They could have done that.

7 MR. COPELAND: So can I get it in some type of
8 writing that if I was to testify that if she feels as in I
9 lied about anything that they won't lock me back up?

10 THE COURT: Let me have that, Ms. Bumpus.

11 MS. BUMPUS: (Hands document to the Court.)

12 (Brief pause.)

13 THE COURT: Mr. Copeland, on page 2 of the order
14 pursuant to O.C.G.A. 24-5-507: However, no testimony given
15 by Kenneth Copeland as required under this order or any
16 information directly or indirectly derived from the
17 testimony of Kenneth Copeland given by Kenneth Copeland as
18 required under this order shall be used against said
19 Kenneth Copeland in any proceeding or prosecution for a
20 crime or offense concerning which he testifies under this
21 order.

22 Okay. So you testify about some aggravated assault
23 or murder, they can't prosecute you on it because that is
24 what it says on the order.

25 Okay. The only thing that will get you in trouble is

1 this next little paragraph: Kenneth Copeland shall be
2 subject to prosecution or to penalty or forfeiture for any
3 perjury, false swearing, or contempt committed in
4 testifying or failing to testify in accordance with this
5 order.

6 However, it is ordered that Kenneth Copeland shall
7 not be required to produce evidence that can be used in any
8 other court in this state, the United States, or any other
9 state.

10 So basically if you commit perjury, false swearing,
11 or contempt committed in testifying -- that means if you
12 just invoke your Fifth Amendment privilege -- or failing to
13 testify, you say, "I'm not going to testify." All right.
14 So the only two real things you can kind of get in trouble
15 for are perjury and false swearing. As long as you tell
16 the truth.

17 Now, as Ms. Hylton and Ms. Bumpus said earlier, you
18 may have told or been asked about situations over and over
19 again. They may have changed. What the State is asking
20 you to do is tell the version that really is the truth. If
21 they want to impeach you, they can do that, or if the other
22 side wants to impeach you, they can do that. You won't get
23 in trouble for that.

24 MR. COPELAND: You said I will?

25 THE COURT: You will not. You will not. Impeachment

1 is not perjury or false swearing. Okay?

2 MR. COPELAND: But she said I can purge myself
3 though.

4 MS. HYLTON: No, no, no. We're saying two different
5 things. Sorry. Perjury is if you get on the stand and you
6 say just a bold-faced lie, just something that is just
7 wrong. Say you say, "I did something", and all the other
8 times you have said, "I have not done it." And really
9 while it's perjury, it's really just an inconsistent
10 statement.

11 Like if you get on the stand and say, "I did X," but
12 in 2015 you said, "I never did X," that is what I'm going
13 to impeach. I'm going to impeach you on everything you
14 said in 2015, meaning I'm going to say, "Okay, today you
15 said I did X, but in 2015 --

16 (Lieutenant Dean entered chambers.)

17 LIEUTENANT DEAN: We have a security issue. We need
18 to stop for a minute. If we can stop for a second, please.

19 (Judge Glanville and Lieutenant Dean exited chambers
20 at 10:45 a.m. Judge Glanville returned to chambers at
21 10:47 a.m.)

22 MS. HYLTON: I don't know what was told to you on
23 Friday. I have no reason to want you in prison. You have
24 spent enough time in prison for YSL, period. So why would
25 I want that for you? That doesn't make no sense. I said

1 it to you before and I will say it to you again in front of
2 all these people. It makes no sense.

3 MR. COPELAND: You just said I'm going to have to
4 stay in jail until the last --

5 MS. HYLTON: If you don't testify. Get this part
6 through your head. If you don't testify. That is the only
7 thing that is holding you. That is literally the only
8 thing holding you right now is the fact you keep saying,
9 "I'm not going to testify" -- well, you haven't said it
10 today -- "I'm not testifying. I plead the Fifth."

11 If you get up there and you -- I want you to tell the
12 truth, like I said before. If you don't recall certain
13 things, you can say you don't recall. That's fine. I want
14 you to tell the truth. I don't expect you to remember
15 every single detail from 2015. I just don't. No one here
16 does.

17 But what I do expect for you to do is answer
18 questions so we can get through this, so you can go home,
19 be with your baby for her birthday, see these dogs deliver
20 their babies, go talk to your nephews, and do all these
21 other things --

22 MR. COPELAND: How you know about my dogs?

23 MS. HYLTON: Because you told me.

24 MR. COPELAND: Okay.

25 MS. BUMPUS: What's wrong?

1 MR. COPELAND: I'm stressing at another level like.
2 MS. BUMPUS: I mean can he -- I'm saying --
3 MR. COPELAND: I'm weak. Man, I'm not playing. I'm
4 dead serious, man, like --
5 MS. HYLTON: This is what our position is. We do not
6 want him in custody. We want him to tell the truth. We
7 want him to testify. That's what will get him out of jail.
8 And, you know, you have to make --
9 MS. BUMPUS: If he decides in two weeks he wants to
10 testify, then what?
11 MS. HYLTON: If he wants to stay in jail for
12 two weeks then that's -- I don't know why you would want to
13 stay in jail for two weeks. I have no idea.
14 MS. BUMPUS: He just feels like he's under a lot of
15 pressure right this second.
16 MR. COPELAND: Even at the jail they are just -- you
17 can't give me house arrest?
18 MS. HYLTON: No. You can go home by taking the stand
19 and testifying. That's what you --
20 THE COURT: And come back tomorrow.
21 MS. HYLTON: There's no -- we keep on saying "yet"
22 but there is no crime. We keep on saying "yet". I don't
23 know who is telling you about a crime. There is no crime.
24 You have done nothing wrong except for not --
25 MR. COPELAND: So why am I in jail then?

1 MS. HYLTON: Because you aren't testifying.

2 MR. COPELAND: But that ain't nothing wrong. It's
3 not a crime.

4 MS. HYLTON: It's not a crime but you're in
5 civil contempt.

6 THE COURT: Two things. Because you invoked your
7 privilege after you have been given immunity, that is why
8 you are in custody because -- you get out by testifying.
9 So you testify, you get out.

10 That's why I was going to bring you -- why I brought
11 you here early today, to just inquire about that. You can
12 remain and hold your position of invoking the Fifth or not
13 testifying, but you go back to prison -- you go back to
14 jail because that's --

15 MR. COPELAND: You can't sentence me?

16 MS. BUMPUS: There's no sentence.

17 THE COURT: There is no sentence. The contempt is
18 compliance. They want your testimony. That is all they
19 want, whatever that may be.

20 MR. COPELAND: I don't know what it is, your Honor.

21 MS. HYLTON: So listen. You are in jail for failing
22 to testify.

23 THE COURT: Failing to testify.

24 MS. HYLTON: Not for nothing else. There is no
25 crime. You ain't done nothing. I don't know if people are

1 telling you that we are going to charge you with nothing.
2 We are not charging you. The State charges you. There is
3 nothing we're charging you with. You are only in custody
4 because you have decided not to testify. That is it. Once
5 you decide to testify --

6 THE COURT: Remember that word you were talking about
7 purge?

8 MR. COPELAND: Uh-huh.

9 THE COURT: Okay. You can purge right now, purge,
10 get yourself out of jail just by testifying.

11 MR. COPELAND: I can purge and get out of jail?

12 THE COURT: Yes, just by testifying.

13 MS. HYLTON: Not perjury.

14 THE COURT: Purge, meaning you can get out of jail.
15 You can get out of jail, out of custody just by testifying.

16 MR. COPELAND: And what about the other one, the
17 other word, perjury?

18 THE COURT: That's different.

19 MS. HYLTON: That's different.

20 THE COURT: That's a different word, okay.

21 MR. COPELAND: That can get me back in jail?

22 MS. HYLTON: Yes.

23 THE COURT: Perjury is --

24 MS. HYLTON: It's not -- what you are saying is not
25 perjury. What you are saying is what we call a prior

1 inconsistent statement. Your example that you gave me,
2 what if I said I did something and I know you didn't do it
3 and you said before you didn't do it, that's not perjury.
4 That is a prior inconsistent statement.

5 (Brief pause.)

6 MS. BUMPUS: You've got to make a decision.

7 So if he starts testifying today, he's going to go
8 home today?

9 MS. HYLTON: He should, so long as he remains. But
10 if you get up there and be like -- if you get to
11 testifying, and then we get into it and you start saying,
12 "I plead the Fifth", we're going to be back here again.

13 MS. BUMPUS: But if he says he don't recall to
14 everything, he'll be okay?

15 MS. HYLTON: I'm not advising that, but so long as he
16 answers the questions, that's fine. So long as he --

17 MR. COPELAND: I did these crimes. I'm telling you
18 that.

19 MS. HYLTON: Okay. I don't know what you are talking
20 about but --

21 MS. BUMPUS: I think -- are you saying you want to
22 get up there on the stand and say something?

23 MR. COPELAND: (No response.)

24 MS. BUMPUS: Did we find out if he could talk to his
25 family? No?

1 (Brief pause.)

2 MS. HYLTON: I mean, if it's okay, we got the
3 sister's number.

4 MR. COPELAND: As my attorney you gotta --

5 MS. HYLTON: Let me -- if y'all want to talk, let me
6 go somewhere where I can't hear you. The judge is over
7 there so just speak low so he doesn't hear you.

8 THE COURT: Hold on.

9 (Judge Glanville handed a document to Attorney Kayla
10 Bumpus and exited chambers with Assistant District Attorney
11 Simone Hylton, Investigator Long, Investigator Hamilton,
12 and Court Reporter Kristina Weaver from 10:53 a.m. to 11:28
13 a.m.)

14 THE COURT: Okay. All right. Mr. Copeland, have you
15 had an opportunity to talk with Ms. Bumpus, your lawyer,
16 and Ms. Hylton, the State's counsel? Have you got any
17 other questions?

18 MR. COPELAND: No, your Honor.

19 THE COURT: Is it your desire to give testimony
20 today?

21 MR. COPELAND: Yes, sir.

22 THE COURT: Okay. All right then. Do you-all have
23 some clothes for him?

24 MS. HYLTON: I don't know. Let me go take a look.
25 What size are you?

1 MR. COPELAND: I can't hear you.
2 MS. HYLTON: What size are you?
3 MR. COPELAND: Little.
4 INVESTIGATOR HAMILTON: We had a large jacket for him
5 on Friday. Large.
6 MS. HYLTON: You had a jacket for him?
7 INVESTIGATOR HAMILTON: Yes.
8 MS. HYLTON: Oh. But he can't wear a large.
9 THE COURT: What is your waist size? 34?
10 MR. COPELAND: 32.
11 THE COURT: Chest, what are you, a 34? 34-36 chest?
12 MS. HYLTON: Probably 36.
13 MR. COPELAND: Not in my chest. What you mean?
14 THE COURT: Size, size.
15 MS. HYLTON: What size are you, small or medium?
16 MR. COPELAND: Small or medium.
17 THE COURT: They are going to try to get you some
18 clothes so you don't have to testify wearing that jail
19 uniform, okay?
20 MR. COPELAND: Y'all don't wanna show the people how
21 y'all did me?
22 THE COURT: Look --
23 MS. HYLTON: If we can't find clothes, then you may
24 have to until tomorrow.
25 MR. COPELAND: I prefer to go in like this.

1 MS. HYLTON: I understand what your preference is.
2 MR. COPELAND: Nah, don't hide it.
3 MS. BUMPUS: Can you make him put on clothes?
4 MS. HYLTON: No.
5 MR. COPELAND: I wanna go in there like this.
6 MS. HYLTON: Fine with me.
7 THE COURT: All right. Okay.
8 MR. COPELAND: You ain't gonna try and lock me back
9 up for this?
10 MS. HYLTON: So long as you testify, we will get an
11 order to get you released.
12 MS. BUMPUS: Today.
13 THE COURT: Whose copy is this?
14 MS. HYLTON: You've got to make sure you come back
15 now. I want to be real clear.
16 MR. COPELAND: When have I ever ran?
17 MS. HYLTON: You have not. That's the only thing.
18 You have not.
19 THE COURT: Whose copy is this?
20 MS. HYLTON: That was ours. Do you want a copy? You
21 can take it though.
22 MS. BUMPUS: Okay.
23 MS. HYLTON: Do you still have yours or you threw it
24 away?
25 MS. BUMPUS: I'm going to give him both of these

1 things so he can have some information.

2 MS. HYLTON: Okay.

3 THE COURT REPORTER: Are we off the record now?

4 THE COURT: Are we done?

5 MS. BUMPUS: Yes, I believe so.

6 THE COURT: Okay. We're good. See everybody
7 downstairs in about ten minutes.

8 (The proceedings concluded at 11:31 a.m.)

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C-E-R-T-I-F-I-C-A-T-E

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the colloquies, questions and answers were reduced to typewriting under my direction; that the foregoing pages represent a true and correct record of the evidence given.

I further certify that in accordance with OCGA 9-11-28(a) I am not a relative, employee, attorney, or counsel of any party, nor am I financially interested in the action.

This the 1st day of July 2024.



KRISTINA WEAVER, RPR, CCR-B-1785

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)	
)	CASE NO.: 22SC183572
vs.)	
)	
JEFFERY WILLIAMS)	
DEAMONTE KENDRICK)	
)	
Defendants)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion was served via e-file upon the following persons:

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Respectfully submitted this 10th day of July, 2024.

/S/Adriane L. Love
Adriane L. Love
Chief Deputy District Attorney
Fulton County District Attorney's
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Atlanta Judicial Circuit
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