

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,)
) **INDICTMENT NO. 22SC183572**
v.)
)
JEFFERY WILLIAMS,) **JUDGE GLANVILLE**
 Defendant.)

SUPPLEMENT TO MOTION TO RECUSE JUDGE GLANVILLE^{1 2 3}

COMES NOW, Mr. Jeffery Williams, by and through undersigned counsel, and hereby timely files this Supplement to Motion to Recuse Judge Glanville in the above-referenced case. In support of this Motion, Mr. Williams shows as follows:

1.

This Supplement to Motion to Recuse Judge Glanville as well as the attached Joint Affidavit (Exhibit “A”) is timely filed as Uniform Superior Court Rule 25.1 mandates that the time for filing a Motion to Recuse shall be not later than five (5) days after the Affiant first learned of the grounds

¹ This Motion applies to Lawyers Love and Hylton in addition to Judge Glanville as all three (3) are material witnesses in the case at bar and all will be called by Mr. Williams during trial to show judicial and prosecutorial misconduct. See Reed v. State, 314 Ga. 534(4), 878 S.E.2d 217 (2022).

² This Motion also timely moves to recuse the Honorable Judge Krause based upon the fact that she sits on the Fulton County Superior Court Bench with Judge Glanville and that in April, 2024, Judge Glanville contributed two thousand (\$2,000.00) dollars to the Honorable Judge Krause’s re-election campaign. Also in April, 2024, the Honorable Judge Krause donated five hundred (\$500.00) dollars to Judge Glanville’s re-election campaign. Mr. Williams’ trial has been ongoing since January 4, 2023 and therefore, includes April, 2024. See Mondy et al. v. Magnolia Advanced Materials, Inc., 303 Ga. 764, 815 S.E.2d 70 (2018); Hill v. Hill, 360 Ga. App. 530(3), 859 S.E.2d 906 (2021); U.S.C.R. 25.4(C); Georgia Transmission Corp. v. Dixon, 267 Ga. App. 575, 577, 600 S.E.2d 381 (2004).

³ Undersigned counsel derives no happiness when filing this Supplemental Motion. However, let justice be done though the heavens fall. Actually, the heavens will not fall by unmasking biased and unethical members of the Bar.

for disqualifications. (See Exhibit “A,” attached hereto, Joint Affidavit). The Honorable Supreme Court of Georgia has taught that a Motion to Recuse is timely filed under U.S.C.R. 25.1 if it is filed within five (5) days after the Affiant first learned of the alleged grounds for disqualification, excluding Saturdays and Sundays. See Mayor and Alderman of the City of Savannah v. Batson-Cook Co., 291 Ga. 114, 120, 728 S.E.2d 189 (2012); O.C.G.A. § 1-3-1. Thus, this Supplement to Motion to Recuse is timely filed as the additional reasons for this recusal were first learned on Monday, July 1, 2024, when Judge Glanville permitted the Court Reporter to release to undersigned counsel the transcript of the Monday, June 10, 2024, ex parte meeting between Judge Glanville, lawyers Hylton and Love, the Honorable Attorney Bumpus and her client, sworn witness Mr. Kenneth Copeland and others. (See Exhibit “A,” Joint Affidavit, attached hereto; See Exhibit “B,” attached hereto, Transcript of the June 10, 2024 Ex Parte Hearing, page 56).

2.

This timely filed Supplement to Motion to Recuse has also been timely presented to the Honorable Judge Krause and Judge Glanville on Monday, July 8, 2024. See Mondy et al. v. Magnolia Advanced Materials, Inc., 303 Ga. 764(3), 815 S.E.2d 70 (2018).

3.

In the case at bar, Judge Glanville’s ex parte communications with a sworn witness, his counsel, lawyers Love and Hylton and other representatives with the Fulton County District Attorney’s Office are seemingly only partially captured by the Court Reporter. (See Exhibit “B,” attached hereto, Transcript of the June 10, 2024 Ex Parte Hearing). Judge Glanville, lawyer Love and lawyer Hylton have prejudiced and tainted Mr. Williams’ trial so deeply as Judge Glanville has not acted as a Judge but morphed into an essential part of the prosecution team. (See, for instance, Johnson v. State, 278 Ga. 344(3), 602 S.E.2d 623 (2004), the Judge’s conduct, including ex parte

communication with the prosecutor during trial, resulted in the appearance of bias, requiring reversal of the convictions and sentences).

4.

U.S.C.R. 4.1 mandates that Judges shall neither initiate nor consider ex parte communications by interested parties or their attorneys concerning a pending or impending proceeding. Yet, Judge Glanville participated in these ex parte communications and then somehow attempted to keep the secret by referring to the meeting as “privileged” and describing the improper secrecy as “sacrosanct.”⁴ (See Exhibit “C,” attached hereto, Trial Transcript dated June 10, 2024, pages 12, 16, 32, 45-46, 59). Judge Glanville has totally abandoned his role as a Judge and has become a prosecutor against Mr. Williams.

5.

Ex parte communications are presumed to be harmful error and any conviction and sentence will be reversed unless the State proves that the error was harmless. See City of Pendegrass v. Skelton, 278 Ga. App. 37(1), 628 S.E.2d 136 (2006).

6.

Mr. Williams timely raised his objections to these ex parte communications and recusal of Judge Glanville, to wit: when he first learned of same. (See Exhibit “C,” attached hereto, Trial Transcript dated June 10, 2024, pages 4-77, specifically 4-9, 15; see Exhibit “D,” attached hereto, Motion to Recuse filed on June 17, 2024).

⁴ “Sacrosanct” means most sacred or holy; inviolable; immune from criticism. See <https://www.merriam-webster.com/dictionary/sacrosanct>. As shown herein, the ex parte communications were illegal, immoral and unethical, diametrically opposed to “sacrosanct.”

7.

Canon 2, Rule 2.9 of the Georgia Code of Judicial Conduct (and former Section (B)(7) of Canon 3) forbids a Judge from considering ex parte communications as 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.”⁵ Judge Glanville embraced his view that the communications at this ex parte hearing were “privileged.” (See Entire Record of the Case; see entirety of Exhibit “B” and Exhibit “C,” attached hereto; see also Exhibit “E,” attached hereto, Order of Contempt and Incarceration for Brian Steel filed on June 10, 2024). “Judges shall not initiate, permit, or consider ex parte communications, or consider other communications made to them outside of the presence of the parties, or their lawyers, concerning a pending or impending proceeding” except communications for administrative purposes, emergencies, consultations with experts or Court personnel and settlement conferences. Code of Judicial Conduct Rule 2.9(A). It is also clear that ex parte communications are presumed to have been in error and once a party has shown that a Judge has received an ex parte communication, there is a presumption of harm that can be overcome only by an affirmative showing that the Judge did not consider this communication. See Hargis v. State, 319 Ga. App. 432(2), 735 S.E.2d 91 (2012)(reversed on other grounds in State v. Hargis, 294 Ga. 818(fn. 10, fn. 11), 756 S.E.2d 529 (2014); Arnau v. Arnau, 207 Ga. App. 696(1), 429 S.E.2d 116 (1993). In the case at bar, there is not a scintilla of evidence to overcome the presumption that these impermissible, illegal and unethical ex parte communications as captured in attached Exhibit “B” resulted in harm. Thus, Mr. Williams’ case should be reversed on direct appeal if there is any

⁵ Georgia’s current Code of Judicial Conduct went into effect on January 1, 2016. See In re Judicial Qualifications Commission Formal Advisory Opinion No. 241, 301 Ga. 54(fn. 3), 799 S.E.2d 781 (2017).

conviction and sentence. Compare In re Martin, 218 Ga. App. 79(1), 460 S.E.2d 304 (1995)(ex parte letters sent to Judge by witness was not harmful error where the party asserting the error did not argue that the Judge responded in any manner or gave the letter any consideration). As shown in the Joint Affidavit, attached hereto as Exhibit “A,” Judge Glanville not only conducted this improper and unethical ex parte meeting, Judge Glanville therein acted as an advocate for the Fulton County District Attorney’s Office as he dispensed legal advice and supported lawyers Hylton’s and Love’s goal to have Mr. Copeland testify against Mr. Williams and the other co-indictees. (See Exhibit “A,” attached hereto, Joint Affidavit; see Exhibit “B,” entire transcript). In light of this ex parte proceeding, it is impossible to conclude that Judge Glanville is impartial and not a member of the prosecution team.

8.

“Judges shall disqualify themselves in any proceeding in which their *impartiality* might reasonably be questioned” including cases in which the “judge has a personal bias or prejudice concerning a party or a party’s lawyer or personal *knowledge* of disputed evidentiary facts concerning” the proceedings Code of Judicial Conduct Rule 2.11. Judge Glanville has been derelict in his judicial duties and must be recused. (See Code of Judicial Conduct Rule 2.11). Once evidence of this illegal ex parte, star chamber meeting was revealed by undersigned counsel in the afternoon of June 10, 2024, in open Court, lawyers Hylton and Love sat mute while Judge Glanville found undersigned counsel in contempt of Court and sentenced undersigned counsel to the longest possible time in jail for unmasking Judge Glanville’s, lawyer Love’s and lawyer Hylton’s improper, illegal and unethical conduct.⁶ Judge Glanville must be recused from any further action on Mr. Williams’

⁶ In addition to violations of Georgia Rules of Professional Responsibility which could carry penalties up to disbarment, felony crimes such as Violation of Oath of Office as codified in O.C.G.A.

case.

9.

The referenced sections of the Georgia Code of Judicial Conduct are meant to be self enforcing and it is the Judge's duty to disqualify himself as soon as he is aware that the grounds exist. See Pope v. State, 257 Ga. 32(2a), 354 S.E.2d 429 (1987)(citing the 1984 version of Canon 3 as well as 28 U.S.C. § 455(e) which provides that "no Justice, Judge or Magistrate . . . shall accept from the parties to the proceeding a waiver of any ground for disqualification . . . including cases in which the Judge has personal knowledge of disputed evidentiary facts concerning the proceeding. This includes ex parte communications). See also Mayor & Alderman of City of Savannah v. Batson-Cook Co., 291 Ga. 114(1), 728 S.E.2d 189 (2012)(an Appellate Court reviews the trial court's ruling on a Motion to Recuse under former Canon 3(E), now Rule 2.11, de novo rather than for abuse of discretion).

10.

In the case at hand, the State cannot show that Judge Glanville's, lawyer Love's and/or lawyer Hylton's intentional and willful complicity in these ex parte communications was harmless error. As shown in Exhibit "B," the improper influence and interjections by Judge Glanville and his two (2) cohorts from the Fulton County District Attorney's Office on Mr. Copeland changed Mr. Copeland's stance not to testify against Mr. Williams. (See Exhibit "B," pages 27-28, 33-37). If Mr. Copeland refused to testify, all of his prior false, inculpatory statements as to Mr. Williams would not come into evidence based upon Mr. Williams' Constitutional right to confrontation. Intimidations tactics thrust upon Mr. Copeland by the combined work of Judge Glanville, lawyer

§16-10-1 and Influencing a Witness as set forth in O.C.G.A. § 16-10-93(b)(1)(A) are a few examples of what potentially occurred during this ex parte meeting.

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Love and lawyer Hylton resulted in Mr. Copeland's decision to testify and thus, Mr. Williams has another witness to challenge at trial. See Hargis v. State, 319 Ga. App. 432(2b), 735 S.E.2d 91 (2012)(reversed on other grounds in State v. Hargis, 294 Ga. 818(fn. 10, fn. 11), 756 S.E.2d 529 (2014). Moreover, ex parte communications are so disfavored and repugnant that even if the ex parte communication would be cumulative of other evidence introduced at trial, same would not be harmless error because the ex parte communications are presumed to be reversible error. See Hargis v. State, supra (reversed on other grounds in State v. Hargis, supra).

11.

Mr. Williams' fundamental Constitutional rights were trampled, ignored and violated as a result of Judge Glanville's, lawyer Love's and lawyer Hylton's improper, unethical ex parte meeting with Witness Copeland. Moreover, the cover up, secrecy and silence of these three (3) team members is unforgivable, to wit: after the star chamber meeting, the three (3) "public officials" simply strolled into the Courtroom, faced the cameras, called for the jury and feigned to continue trial as if nothing out of the ordinary occurred just hours/minutes before. (See YouTube dated June 10, 2024 at 2:28:40 through 2:35:42, <https://www.youtube.com/watch?v=86KY3agxE2I>).

12.

Mr. Williams needs to examine Judge Glanville, lawyer Hylton, lawyer Love and all other members of their prosecution team to reveal the date and time of every ex parte communication that occurred concerning Mr. Williams' case since its inception, the subject of same and Order the Court Reporter to produce any transcript of same and/or unseal all documents from these potential improper ex parte communications. Undersigned counsel needs to cross-examine all of these parties

to ensure that the sworn testimony is spread in open Court on the Record.⁷

13.

Mr. Williams' trial is Constitutionally broken based upon the unconscionable misconduct of Judge Glanville, lawyer Love and lawyer Hylton, all working together in an effort to convict Mr. Williams. The criminal justice system in Fulton County, in the State of Georgia and in America has been attacked by the conduct of these three (3) actors. This injustice must end, immediately, beginning with Judge Glanville removed and disqualified from Mr. Williams' case. Thereafter, this Motion is also timely made for lawyer Love and lawyer Hylton to be removed and disqualified from Mr. Williams' trial and the Fulton County District Attorney's Office must be investigated for their improper conduct, if any, outside of the actions of lawyer Love and lawyer Hylton. See Reed v. State, 314 Ga. 534(4), 878 S.E.2d 217 (2022)(disqualifying prosecutors claim should be raised promptly).

14.

Judges must scrupulously avoid improper ex parte communications whether or not they consider them. See Ivey v. Ivey, 264 Ga. 435(3), 445 S.E.2d 258 (1994). A Judge has the ethical duty to recuse himself sua sponte anytime the Judge is aware of grounds to do so. See Gude v. State, 289 Ga. 46(3), 709 S.E.2d 206 (2011). Judge Glanville did the opposite of recusing himself sua sponte even though he is keenly aware that helping lawyer Love and lawyer Hylton to influence Mr. Copeland to change his mind and testify against Mr. Williams is not permitted by any Judge, in any Court. Instead, Judge Glanville, the Chief Judge in the Superior Court of Fulton County, Georgia, has taken upon himself, at the behest and encouragement of lawyers Love and Hylton, to ally himself with the prosecutors in this case. Judge Glanville's misconduct shall not stand; the law must be

⁷ Undersigned counsel objects to any proffer by Judge Glanville, lawyers Love and Hylton. Other objections to proffers will be made at the time of the attempted proffer.

followed. Judge Glanville must be recused and disqualified from Mr. Williams' case, instanter.

15.

No hearing is actually needed to reach the finding that recusal of Judge Glanville, instanter, is mandated. Judge Glanville has automatically caused his recusal and disqualification from Mr. Williams' case by unlawfully becoming actively involved when he presented argument refuting Affiants' allegations of judicial bias. See A&M Hospitalities, LLC et al. v. Alimchandani, 363 Ga. App. 531(2), 871 S.E.2d 290 (2022); see YouTube dated July 1, 2024 at 2:38:39 through 2:51:16, <https://www.youtube.com/watch?v=p-ztCDSuQXE>). If this Honorable Court disagrees, Mr. Williams respectfully requests a hearing as he will call Judge Glanville, lawyer Love and lawyer Hylton as witnesses to fully unmask this above-discussed misconduct as well as further misconduct that may have occurred.

16.

This judicial and prosecutorial misconduct denotes a disgraceful episode in Fulton County Courts, the Fulton County District Attorney's Office and stains Courts throughout the State of Georgia and our Country. What occurred in this star chamber, outside of the view of the cameras, in the shadows and hidden from Mr. Williams and his counsel and the public is unpardonable and all in violation of Mr. Williams' Constitutional rights stated herein as well as in Exhibit "A." Judge Glanville, lawyer Love and lawyer Hylton have created secret star chambers proceedings which the State of Georgia has promised its citizens it would never engage. See State v. Brown, 293 Ga. 493(1), 748 S.E.2d 376 (2013). As the Honorable Supreme Court of Georgia has taught, "justice faces its greatest threat when courts dispense it secretly. Our system abhors star chamber proceedings with good reason." See Atlanta Journal & Atlanta Constitution v. Long, 258 Ga. 410(1), 369 S.E.2d 755 (1988). Judge Glanville, lawyer Love and lawyer Hylton have teamed up to conduct their illegal

and unethical conduct outside of the view of Mr. Williams and his counsel, the public and outside of the lens of the cameras. These “public officials” shall never be trusted by Mr. Williams or undersigned counsel. There are serious consequences for these intentional and unjustified misdeeds that have not yet been dispensed. The clear evidence is that Judge Glanville is not impartial and/or there is at least the appearance that Judge Glanville is not impartial. Judge Glanville must be removed/disqualified instanter from Mr. Williams’ case.

17.

As sworn to in Exhibit “A,” Judge Glanville, lawyer Love and lawyer Hylton conspired to conceal and suppress Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194, 10 L.Ed.2d 215 (1963), evidence. This star chamber cannot prohibit Brady evidence from coming forward. That is exactly what Judge Glanville, lawyer Love and lawyer Hylton planned to do. Mr. Williams’ Constitutional right to Due Process, a fair tribunal, a fair trial, effective assistance of counsel, right to cross-examine, right to see, hear and be present for the statements of a sworn witness have been obliterated by Judge Glanville and his cohorts. Judge Glanville must be removed as he has forfeited his position as Judge.

18.

The June 10, 2024, star chamber meeting between Judge Glanville and lawyers Love and Hylton undermine the public’s faith in the integrity of the justice system as it conceals from the public, Mr. Williams, his lawyers and the others facing the removal of their liberty critical information about the lawfulness and reality of how they are being prosecuted. This injustice must end today. This trial is wholly broken and cannot ever be repaired based solely upon the improper conduct of Judge Glanville, lawyer Love and lawyer Hylton. Any Motion for Mistrial made by Mr. Williams is based exclusively upon the improper actions of the supposed Judge and the State actors.

See, for example, Owens et al. v. Hill, 295 Ga. 302(fn. 16), 758 S.E.2d 794 (2014).

19.

Judge Glanville, at the indecorous star chamber, ex parte meeting, provided legal advice and direction to Attorney Bumpus about how to speak with her client, Mr. Copeland. Dispensing legal advice creates a clear appearance of partiality, which is a proper ground for the granting of this Motion to Recuse under our Code of Judicial Conduct and a Constitutional violation of Due Process. See Dukes v. State, 364 Ga. App. 425, 875 S.E.2d 409 (2022)(Judge Phipps, Concurring Opinion). Mr. Williams' Constitutional right to Due Process has been violated because not only is there an appearance of partiality but there is actual bias as Judge Glanville has been embroiled in this trial and is assisting the prosecution to attempt to gain a conviction of Mr. Williams. See Cromer v. State, 348 Ga. App. 113(2), 820 S.E.2d 269 (2018). It is impossible for any reasonable person to believe that Judge Glanville is neutral. Judge Glanville must be removed based upon the one (1) ex parte communication that has come to light thus far. Judge Glanville, lawyers love and Hylton have infected the process of Mr. Williams' trial and have illegally poisoned same, forever.

20.

Judge Glanville had the ethical duty to recuse himself sua sponte once he had these ex parte communications. See State v. Hargis, 294 Ga. 818(fn. 11), 756 S.E.2d 529 (2014). However, neither Judge Glanville, lawyer Love nor lawyer Hylton uttered a word that they spent the morning of June 10, 2024, (i) leaning on Mr. Copeland to testify for the prosecution against Mr. Williams, (ii) coaching Attorney Bumpus on what and how to "sell" to Mr. Copeland the proposition to cause him to testify at trial against Mr. Williams, (iii) coaching Mr. Copeland on how to deliver his testimony; and (iv) promising Mr. Copeland that he would not be prosecuted even for perjured testimony unless he told a "bold-faced whopper" lie (See Exhibit "B," pages 36-51, specifically pages 40-41). These

“public officials” heard and failed to reveal that Mr. Copeland confessed to committing every indicted offense in this case. (See Exhibit “B,” page 51, lines 17-18). Even non-lawyers can see that Judge Glanville, lawyer Love and lawyer Hylton are not acting in an ethical manner, are on the same prosecutorial team and that Judge Glanville should not be rewarded with the opportunity to continue to preside as Judge over Mr. Williams’ jury trial. In reality, Judge Glanville, lawyer Love and lawyer Hylton have made themselves witnesses whom Mr. Williams’ counsel will call.⁸ These three (3) lawyers must be recused and removed from this case.

21.

It is important to note that Judge Glanville originally denied Mr. Williams’ request for access to the June 10, 2024, ex parte hearing transcript, keeping contents of the Record totally hidden by lawyer Love, lawyer Hylton and Judge Glanville. Fortunately, mounting pressure related to Judge Glanville’s gross misconduct, violation of his oath of office, ethical violations and potential criminal conduct by lawyer Love, lawyer Hylton and Judge Glanville worked to affect change.

22.

On Monday, June 17, 2024, Judge Glanville denied undersigned counsel’s Motion to Recuse and went forward with the trial of this case. Similarly, Judge Glanville denied the Honorable Douglas Weinstein, Esq.’s Motion to Recuse on June 12, 2024. Judge Glanville then continued to unlawfully preside over Mr. Williams’ jury trial. Judge Glanville must be removed as he has proven to have actual bias as well as the appearance of bias.

⁸ Mr. Williams’ counsel has announced in open Court that he will call these three (3) offenders at trial. Judge Glanville’s, lawyer Love’s and lawyer Hylton’s names appear on Mr. Williams’ filed Eight Amended List of Witnesses.

23.

Undersigned counsel has never been afforded the questions that lawyer Hylton and/or lawyer Love created and gave to Mr. Copeland. Undersigned counsel has never been given this list of questions even though Judge Glanville has been made aware of these questions and has encouraged Attorney Bumpus and Mr. Copeland to review and understand these questions. (See Exhibit “B,” attached hereto, Transcript of the June 10, 2024 Ex Parte Hearing, pages 13, 19, 36-41, specifically pages 13, 19). The question must be asked why Judge Glanville has ex parte access to lawyer Hylton and/or lawyer Love’s questions for a witness. This conduct is beyond repair.

24.

Judge Glanville, lawyer Hylton and lawyer Love did not give a hint that they were meeting ex parte with Witness Copeland on the morning of Monday, June 10, 2024 or at anytime. Undersigned counsel had no idea that Judge Glanville, lawyer Love and lawyer Hylton would dodge the law and ethical rules to conduct this improper and unethical ex parte conference. Judge Glanville and lawyers Love and Hylton were duty bound to immediately announce to Mr. Williams, his counsel and all accused and their counsel that (i) this ex parte meeting occurred, (ii) Brady and Giglio evidence was obtained, and (iii) that the transcript was made and allowed argument to flow. Instead, their cover up equals their misdeeds. See, for example, Putnal v. State, 303 Ga. 569(4), 814 S.E.2d 307 (2018). (See YouTube dated June 10, 2024 at 2:28:40 through 2:35:35, <https://www.youtube.com/watch?v=86KY3agxE2I>).

25.

Judge Glanville, lawyers Love and Hylton, acting in concert, hid Brady evidence and attempted to normalize this unconstitutional star chamber meeting, unethical conduct and witness intimidation by deflecting the focus on how undersigned counsel learned of the secret proceeding.

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Judge Glanville held undersigned counsel in contempt of Court. This misconduct by Judge Glanville, lawyer Love and lawyer Hylton undermines trust in Judges and prosecutors, cannot stand and cannot be rewarded. Action must occur in order to attempt to remove this dark cloud over Mr. Williams' trial and the criminal justice system at large. The conduct of lawyer Love, lawyer Hylton and Judge Glanville can never be forgotten, normalized or ratified.

26.

The Georgia Courts have always safeguarded and separated prosecutors and their duties from Judges and their duties. Here, there is no daylight between Judge Glanville's and lawyers Hylton's and Love's improper and unethical conduct. All must be removed from Mr. Williams' case, instant. See Roberts v. State, 280 Ga. App. 672, 634 S.E.2d 790 (2006).

27.

As stated herein, Mr. Williams intends to call Judge Glanville as a witness at trial as well as at this Recusal Motion's evidentiary hearing based upon his improper conduct and the need to make a further Record to protect Mr. Williams' Constitutional rights. Specifically, there appear to be communications not captured on the transcript of the June 10, 2024, ex parte meeting. Lawyers Love and Hylton and Judge Glanville's examinations are needed to complete this Record. See, for example, Isaacs v. State, 257 Ga. 126, 355 S.E.2d 644 (1987).

28.

Judge Glanville is a necessary witness in Mr. Williams' trial, and his name will be used when undersigned counsel cross-examines Mr. Copeland when asking questions 1) whether Judge Glanville pressured Mr. Copeland to testify, 2) whether Mr. Copeland realized that Judge Glanville was allowing wrong propositions of law to be explained to him, and 3) the fact that Judge Glanville condoned Mr. Copeland lying under oath unless it was a "bold-faced whopper." (See Exhibit "B,"

pages 40-43). This mandates that Judge Glanville not be in the Courtroom in front of Mr. Williams' jury ever again as Judge. Judges must be disqualified in proceedings in which their impartiality may be reasonably questioned, including, but not limited to, instances where the Judge is likely to be a material witness in the proceedings. See In re Hasty, 215 Ga. App. 349, 450 S.E.2d 848 (1994).

29.

Grounds for recusal are contained in O.C.G.A. § 15-1-8 as well as the Georgia Code of Judicial Conduct. Further, the Judge should be disqualified for bias against a party if such bias stems from an extra-judicial source and results in an opinion on the merits on some basis other than what the Judge learned from his participation in the case. The alleged bias of the Judge must be of such a nature and intensity to prevent Mr. Williams from obtaining a trial uninfluenced by the Judge's bias. See Bevil v. State, 220 Ga. App. 1, 467 S.E.2d 586 (1996). In the case at bar, it is impossible to honestly find that Judge Glanville is an impartial, fair jurist. Recusal is mandated. (See Exhibit "A," attached hereto).

30.

Under Rule 2.11 of the Code of Judicial Conduct, a Judge must avoid all impropriety as well as the appearance of impropriety. Judges shall "disqualify themselves in proceedings in which their impartiality might reasonably be questioned." The fact that Judge Glanville's impartiality might reasonably be questioned is grounds to mandate that he is removed from this case. See In re Phillips, 225 Ga. App. 478, 484 S.E.2d 254 (1997); In re Shafer, 215 Ga. App. 520, 451 S.E.2d 121 (1994). Rule 2.11 provides an additional rule of disqualification that is broader than our Statute. Here, under any definition and any rule, Judge Glanville must be removed, instantler, from the position of Judge. In fact, Commentary 2 to Rule 2.11 explains that Judges are subject to disqualification whenever their "impartiality might reasonably be questioned." "Judges should disclose on the record. . .

information that the Court believes the parties or their lawyers might consider relevant to the question of disqualification even if [the Judge] believe[s] there is no legal basis for disqualification.”

Rule 2.11.

31.

“Impartiality might reasonably be questioned” means a reasonable perception of lack of impartiality by the Judge held by a fair minded and impartial person based upon objective fact or reasonable inference. Recusal on this ground requires a rational basis for such questioning, not an arbitrary basis, even though no actual impropriety on the part of the Judge has been shown. See Birt v. State, 256 Ga. 483, 486, 350 S.E.2d 241 (1986). As seen in Exhibit “A,” Judge Glanville’s impartiality under this definition has been satisfied. Further, the Code of Judicial Conduct mandates that the Judge step down from presiding over a case where the Judge is likely to be a real and essential witness and where there is not substantially the same testimony available from another witness. See Mayberry v. Pennsylvania, 400 U.S. 455, 91 S. Ct. 499, 27 L.Ed.2d 532 (1971); Dowdy v. Palmour, 251 Ga. 135, 304 S.E.2d 52 (1983). Judge Glanville must leave Mr. Williams’ case, except when he is called to testify as a witness to explain under questioning his misconduct and bias before the jury.

32.

The bias of Judge Glanville is of such a nature and intensity to prevent Mr. Williams from obtaining a trial free from Judge Glanville’s bias and prejudgment. See Jones v. State, 247 Ga. 268(4), 275 S.E.2d 67 (1981). Prejudice, bias or pre-judgement or even an exhibition of partisan feeling, is present in Mr. Williams’ case and Judge Glanville must be removed, instant.

33.

Mr. Williams asks this Honorable Court to hold an evidentiary hearing on this Motion to

Recuse in order for Mr. Williams to gain a full understanding of the misconduct of lawyer Love, lawyer Hylton and Judge Glanville throughout this case. Judge Glanville is so involved in this controversy that his objectivity can reasonably be questioned and he must be removed as the Judge over Mr. Williams' jury trial. See Baptiste v. State, 229 Ga. App. 691, 494 S.E.2d 530 (1997).

34.

The facts are so clear that Judge Glanville, in order to shield himself and his co-prosecutors Love and Hylton from the truth of their misconduct, denied Mr. Williams' June 17, 2024, Motion to Recuse without a hearing, without providing a transcript and without permitting another Court to hear the Motion to Recuse dated Monday, June 17, 2024. This demonstrates that Judge Glanville is involved in this controversy and cannot be deemed fair and impartial.

35.

The rules of disqualification pursuant to O.C.G.A. § 15-1-8 as well as the Code of Judicial Conduct are in play. See Kurtz v. State, 233 Ga. App. 186, 504 S.E.2d 51 (1998).

36.

Significantly, Judge Glanville is required to avoid not just impropriety but the appearance of impropriety in his activities. This is because public confidence in and respect for the judiciary and our Courts must be maintained. See In re: J.Q.C. No. 97-61; White v. Sun Trust Bank, 245 Ga. App. 828(4), 538 S.E.2d 889 (2000). As shown in Exhibit "A," attached hereto, the shocking conduct of lawyer Love, lawyer Hylton and Judge Glanville proves that bias and prejudice have been shown and it would be error for Judge Glanville to continue on Mr. Williams' case. See Butts v. State, 273 Ga. 760(fn. 7), 546 S.E.2d 472 (2001).

37.

It has been held to be elementary that a Judge must be disqualified when he is going to be

a witness in the same proceeding. See Lewis v. State, 275 Ga. 194, 565 S.E.2d 437 (2002).

38.

In the case sub judice, Judge Glanville has taken on the prosecutorial role against Mr. Williams and hence, must be recused. See Paul v. State, 272 Ga. 845(1), 537 S.E.2d 58 (2000). These circumstances illustrate perfectly the inescapable conclusion that Judge Glanville is partial to the prosecution and biased against Mr. Williams. See Lemming v. State, 292 Ga. App. 138(1), 663 S.E.2d 375 (2008).

39.

Judge Glanville attempted to cover up his and lawyer Love's and lawyer Hylton's misconduct by attempting to intimidate undersigned counsel and then holding undersigned counsel in contempt of Court, sentencing undersigned counsel to the maximum number of days to serve in custody for doing nothing but zealously and ethically upholding his professional responsibilities. Judge Glanville then took action before the jury, after recusal Motions were timely filed by the Honorable Douglas Weinstein, Esq. as well as undersigned counsel. All of these actions taken by Judge Glanville after these ripe and valid recusal Motions were filed are void. Judge Glanville has caused Mr. Williams immeasurable suffering and prejudice based upon his, lawyer Love's and lawyer Hylton's denial of Mr. Williams' Statutory and Constitutional rights stated herein. Mr. Williams must be granted a reasonable bond. Mr. Williams' Statutory right to speedy trial has been totally upended by lawyer Love, lawyer Hylton and Judge Glanville and Mr. Williams must be cleared of all baseless charges. See In re Estate of Alinda Louann Sands-Kadel, 292 Ga. App. 343, 665 S.E.2d 46 (2008).

40.

As spelled out above, this Supplement to Motion to Recuse is timely filed as same is filed not later than five (5) days after undersigned counsel/Affiant first learned of these additional grounds

for disqualification, to wit: on Monday, July 1, 2024, when the ex parte transcript was first revealed to undersigned counsel. See English v. State, 290 Ga. App. 378, 659 S.E.2d 783 (2008).

41.

The attached Joint Affidavit memorialized as Exhibit “A” supports this recusal Motion by giving fair support to the charge that Judge Glanville’s bent of mind may prevent or impede impartiality as required for Judge Glanville to preside over this case. Judge Glanville’s extrajudicial misconduct cannot be ignored. Judge Glanville, lawyer Love and lawyer Hylton have worked in lock step to ensure that Mr. Williams’ Constitutional and Statutory rights to a fair trial, impartial tribunal, Due Process, right to be present at all critical stages of his trial under the Federal Constitution as well as Article I, Section I, Paragraph XII of the Georgia Constitution, right to cross-examine, right to present a defense, right to effective assistance of counsel, right to assist his counsel have all been crushed. This trial is a farce. Denying this Motion to Recuse and permitting Judge Glanville to continue as Judge perpetuates injustice. This case can never return to Constitutional normalcy based solely upon the improper misconduct of lawyer Love, lawyer Hylton and Judge Glanville. Any tragic conviction and sentence in this case will likely be reversed. Judge Glanville has made himself a necessary witness as has lawyer Love and lawyer Hylton. Should Judge Glanville not recuse, Mr. Williams would be prevented from exercising his Constitutional right to call witnesses as Mr. Williams needs to show the jury how and why lawyer Love, lawyer Hylton and Judge Glanville were not just “doing their jobs” but were teaming up with a united front, to convict Mr. Williams. Once armed with this evidence, the jurors can then properly determine what, if any, of this testimony and these facts will bear on their verdicts. Judge Glanville must be removed.

42.

Mr. Williams’ Motion to Recuse and Affidavit timely filed on Monday, June 17, 2024,

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required Judge Glanville to answer a legal question as to whether the Motion to Recuse meets the threshold requirements under U.S.C.R. 25.3. See Daker v. State, 300 Ga. 74(fn. 5), 792 S.E.2d 382 (2016). This is simply a question of law. Judge Glanville, acting way outside the parameters of a fair and impartial jurist, denied Mr. Williams’ Motion finding that it did not meet the simple threshold requirements of U.S.C.R. 25.3. (See YouTube dated June 18, 2024 at 27:41 through 31:25, <https://www.youtube.com/watch?v=RC4NACLorcM>). Mr. Williams’ June 17, 2024, Motion to Recuse and the attached Affidavit clearly met the threshold requirements of U.S.C.R. 25.3. This June 18, 2024, ruling clearly shows the bias of Judge Glanville. On Monday, July 1, 2024, Judge Glanville allowed undersigned counsel’s June 17, 2024, Motion to Recuse to be forwarded to another Court. While this shows that there is at least a reasonable appearance of impropriety by Judge Glanville, Judges shall disqualify themselves from any proceeding in which their impartiality might reasonably be questioned. Judges shall perform judicial duties without bias or prejudice and shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice. Judges shall be faithful to the law and maintain professional confidence in it. Judge Glanville has violated all of these critical and worthy principles. See Patel et al. v. Patel, 342 Ga. App. 81(3), 802 S.E.2d 871 (2017). Judge Glanville had the duty to act, at all times, in a manner that promotes public confidence in the impartiality of the judiciary. As seen in Exhibit “A,” Judge Glanville has abrogated this duty. See Serdula v. State, 356 Ga. App. 94(1), 845 S.E.2d 362 (2020). A hearing must be held to properly document the misconduct between lawyer Love, lawyer Hylton and Judge Glanville. A full evidentiary hearing must be conducted where lawyer Love, lawyer Hylton and Judge Glanville will be called by undersigned counsel as witnesses to determine the nature and scope of their relationship and misconduct. See Serdula v. State, supra (a full evidentiary hearing was held on the Motion to Recuse).

43.

Before the jury, Judge Glanville will be spoken about in terms of his work as a member of the prosecution team. Judge Glanville will be called as a witness by Mr. Williams. The law mandates that Judge Glanville be removed from presiding over Mr. Williams' case because he cannot be both a witness and Judge in our lawful criminal justice system. Judge Glanville has given lawyer Love, lawyer Hylton, the Honorable Attorney Bumpus and Witness Copeland legal advice. Mr. Williams' jurors need to understand who has been orchestrating this kangaroo court. See In re Burgar, 264 Ga. App. 92, 589 S.E.2d 679 (2003). Judge Glanville, lawyer Hylton and lawyer Love should have separate and distinct roles in our criminal justice system. See In re Burgar, supra. These distinction between these roles has been washed away in Mr. Williams' case.

44.

When the Judge instructs Mr. Williams' jury that by no comment, ruling or action taken by the trial court should the jury determine that the Judge has any bias in favor of a party. This will be a disputed point of law. Mr. Williams will be calling Judge Glanville, lawyer Hylton and lawyer Love as witnesses and thus, this instruction does not apply to Mr. Williams' case. Mr. Williams' jurors must learn the conduct of these three (3) lawyers when examining the evidence and evaluating this instruction. Judge Glanville is a necessary witness in Mr. Williams' trial and must be recused. Lawyers Love and Hylton are necessary witnesses in the case and must be disqualified.

45.

As attested to in Exhibit "A," Judge Glanville received extrajudicial information and also gave opinions and legal advice that included, but are not limited to, that (i) Mr. Copeland went to prison for crimes committed on behalf of YSL, a contested fact in this trial; (ii) Mr. Williams and the other co-indictees know Mr. Copeland and his criminal conduct that is not known to Judge

Glanville or the prosecutors; (iii) Mr. Copeland will be cross-examined on his other crime evidence because Mr. Williams and the co-indictees have far greater knowledge of Mr. Copeland and his background than others; and (iv) the like. By embracing this extrajudicial information, Judge Glanville believes that Mr. Williams is involved in criminal activity with Mr. Copeland and Judge Glanville expressed that fact to Mr. Copeland in order to push Mr. Copeland to testify against Mr. Williams. These conclusions regarding facts that are in dispute about Mr. Williams' guilt mandate Judge Glanville be removed from this trial. (See Exhibit "A"). Moreover, Judge Glanville's derogatory and prejudicial statements and demeanor must be considered by this Honorable Court as attached in Exhibit "A." See Johnson v. State, 278 Ga. 344, 602 S.E.2d 623 (2004). Judge Glanville had an ethical duty to disqualify himself in this matter as he clearly has a personal bias and prejudice concerning Mr. Williams, the other co-indictees, Mr. Williams' counsel and the other defense lawyers in the case. Judge Glanville has violated his oath by not voluntarily disqualifying himself to avoid this impropriety and appearance of impropriety. Instead, Judge Glanville, lawyer Love and lawyer Hylton have manufactured an unfair, unconstitutional, broken trial and has caused Mr. Williams severe prejudice by incarceration for over two (2) years without bond and a laughable trial that has lasted entirely too long with the games played by lawyer Love, lawyer Hylton and Judge Glanville. Judge Glanville must be removed, instant.

46.

The instances discussed herein as well as in Exhibit "A" represent more than mere friction between zealous counsel and a diligent jurist. Judge Glanville's conduct created the realistic impression that he has harbored an inclination to be biased against Mr. Williams and partial towards lawyer Love and lawyer Hylton and the Fulton County District Attorney's Office. Although proven, this Honorable Court need not decide whether such bias or impartiality actually existed because

Judge Glanville was ethically bound to disqualify himself whenever his impartiality might reasonably be questioned, including instances where Judge Glanville's behavior could indicate that he has a personal bias or prejudice against a party or a party's lawyer. Judge Glanville's impartiality is more than questionable and it is error to permit him to continue on Mr. Williams' trial. See Johnson v. State, supra. As shown herein and in the attached Affidavit, Judge Glanville is disqualified from any contact with this case moving forward based upon his bias against Mr. Williams and/or his counsel which stems, in part, from extra-judicial sources and results in an opinion of the merits on some basis other than what Judge Glanville learned in his lawful participation of this case. See Williams v. State, 290 Ga. App. 829(6), 661 S.E.2d 563 (2008).

47.

As cited above, ex parte communications are presumptively harmful error. The State has the burden of rebutting the presumption of harmful error which it will not be able to do. Thus, any conviction and sentence will likely be reversed. Moreover, the issue surrounding the improper, secret and coercive pressure campaign by Judge Glanville, lawyer Love and lawyer Hylton will become evidence before the jury. In order to attempt to explain this injustice to the trier of fact, Judge Glanville, lawyer Love and lawyer Hylton will become witnesses. Mr. Williams is entitled to know these communications between Judge Glanville, lawyer Love, lawyer Hylton and/or Mr. Copeland.

48.

Judge Glanville, lawyer Hylton and lawyer Love have stolen, forever, Mr. Williams' opportunity to have this trial heard by a jury in a Constitutional and Statutory firm manner. Judge Glanville, lawyer Hylton and lawyer Love have goaded Mr. Williams into moving for mistrials. All of the conduct and all proceedings after the Honorable Douglas Weinstein, Esq.'s as well as undersigned counsel filed their Motions to Recuse and Affidavits are deemed invalid and have no

effect. Mr. Williams' Constitutional and Statutory right to a "speedy trial" has been stomped on by Judge Glanville as well as Mr. Williams' right to Due Process and a fair tribunal and the other Constitutional rights stated herein and in the attached Affidavit. This conduct must end and all three (3) of these lawyers must be disqualified from this case. See Propst et al. v. Morgan, 288 Ga. 862, 708 S.E.2d 291 (2011); Mayor and Alderman of City of Savannah v. Batson-Cook Co. et al., 318 Ga. App. 152, 734 S.E.2d 743 (2012).

49.

The attached Affidavit clearly sets forth the facts and reasons for the belief that prejudice and bias exist. These allegations are definite and specific as to time, place and details as to this extrajudicial conduct or statements which demonstrate both bias in favor of lawyer Love and lawyer Hylton and their position on behalf of the District Attorney's Office of Fulton County and prejudice toward Mr. Williams and his counsel. Moreover, there has been a systematic pattern of prejudicial conduct toward Mr. Williams and his counsel and the other co-indictees and their counsel by Judge Glanville, lawyer Love and lawyer Hylton acting together, unethically, which has influenced the trial process and has broken the foundation of a fair trial. These are not bare conclusions or opinions as Judge Glanville attempted to claim after Mr. Williams timely filed his Motion to Recuse on June 17, 2024. (See YouTube dated June 18, 2024 at 27:41 through 31:25, <https://www.youtube.com/watch?v=RC4NACLorcM>). Instead, Judge Glanville was using his position of power and trust to obstruct justice as he has violated his oath of office while lawyer Hylton and lawyer Love sat mute as they violated their oath of office and their ethical responsibilities to ensure a Constitutionally fair trial. See Moore v. State, 313 Ga. App. 519, 722 S.E.2d 160 (2012). Lawyer Love, lawyer Hylton and Judge Glanville must be disqualified from further action. Mr. Williams must be released from custody, instanter and cleared of all charges based upon

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prosecutorial and judicial misconduct.

50.

As explained above, ex parte communications are presumed to be error and once Mr. Williams has shown that Judge Glanville received ex parte communications, there is a presumption of harm that can only be overcome by affirmatively showing that Judge Glanville did not consider these communications. In this case, Judge Glanville has harmed to its core Mr. Williams' Constitutional and Statutory rights asserted herein. Judge Glanville, lawyer Love and lawyer Hylton are now self made witnesses and must be removed from this case, instant. Their conduct is reprehensible. Judge Glanville has never affirmatively stated that he has not considered these ex parte communications. Lawyer Hylton and lawyer Love have never uttered a syllable denouncing these ex parte communications. Instead, they promote the propriety of these ex parte communications. (See Exhibit "C," attached hereto, Trial Transcript dated June 10, 2024, pages 21-24, 38-39, 74-75). The State cannot refute this presumption of harm as Mr. Williams' Constitutional right to cross-examination, fundamental right to be present to see and hear all goings on in the Court pursuant to the United States Constitution as well as Article I, Section I, Paragraph XII of the Georgia Constitution, his right to Due Process, right to a fair tribunal, right to a fair trial, right to effective assistance of counsel, right to present a defense and right to call witnesses have all been smashed by the unlawful and unethical conduct of these three (3) supposed "public officials." Judge Glanville, lawyer Hylton and lawyer Love have a lot of explaining to do and must all be removed from this case except as a witness.

51.

Judge Glanville had the duty to disqualify himself and recuse himself based upon his misconduct and had a duty to inform all of the misconduct of lawyer Love and lawyer Hylton. See

Fitzpatrick v. State, 317 Ga. App. 873(3), 733 S.E.2d 46 (2012). Instead, Judge Glanville, lawyer Hylton and lawyer Love all proceeded like their conduct was normal, proper and somehow privileged. (See Exhibit “C,” attached hereto, Trial Transcript dated June 10, 2024, pages 5-8, 12, 16, 21-24, 31, 38-39, 47-48, 69, 74-75). Judge Glanville must be recused.

52.

The law also requires this Honorable Court to recuse. The public must believe in the absolute integrity and impartiality of Judges. That is why, even without a showing of actual bias, prejudice or unfairness, and regardless of the merits and timeliness of any Motion to Recuse, it is inappropriate for any Judge to preside in any action where one of the parties holds a judicial office in any other Court which sits in the same Circuit. See Judicial Qualifications Commission Opinion 220; Smith v. Guest Pond Club, Inc., 277 Ga. 143(2), 586 S.E.2d 623 (2003). The Supreme Court of Georgia observed that our Judicial Qualifications Commission has opined that a Judge in a particular Court should never preside over a matter concerning another Judge from the same Circuit. The Honorable Court of Appeals of Georgia has explained that, as cited above, the Commission concludes that it would be inappropriate for this Honorable Court to preside in this action where Judge Glanville holds a judicial office in this Honorable Court’s same Circuit. Therefore, under law, this Honorable Court must recuse from this case because refusing to do same would permit questioning of this Honorable Court—something the Court will not countenance. This Court must recuse as well. See Wilson v. McNeely, 295 Ga. App. 41, 670 S.E.2d 846 (2008); In re David W. Fry, 295 Ga. App. 41(1), 670 S.E.2d 846 (2008). An appearance of impropriety exists in situations in which reasonable minds might perceive that this Honorable Court’s ability to carry out its responsibilities with impartiality and integrity or competence is impaired. See Georgia Transmission Corp. v. Dixon et al., 267 Ga. App. 575, 600 S.E.2d 381 (2004). Furthermore, this Honorable Court has received a two

thousand (\$2,000.00) dollar donation to its re-election campaign from Judge Glanville in April, 2024, during the pendency of Mr. Williams' trial. Judge Glanville giving this contribution for re-election could be deemed an "exceptionally large campaign contribution" and thus, is another reason this Honorable Court must recuse from presiding over this case. See Gude v. State, 289 Ga. 46, 709 S.E.2d 206 (2011); see also Caperton v. A.T. Massey Cole Company, 556 U.S. 868, 129 S. Ct. 2252, 173 L.Ed.2d 1208 (2009)(holding that exceptionally large campaign contributions may, in certain extreme facts, lead to Constitutional Due Process violation by a Judge's refusal to recuse). Judge Glanville's donation to this Honorable Courts re-election campaign three (3) months ago, coupled with the above-cited case law and Judicial Qualifications Commission Opinion 220 mandate that this Honorable Court must recuse from this case as it meets in private with Judge Glanville and the other Fulton County Judges to conduct the business of the Fulton County Bench. There is an appearance of impropriety by ruling on this Motion to Recuse. (See Exhibit "A," attached hereto).

WHEREFORE, based upon the above and the attached Joint Affidavit as well as the timely filed June 17, 2024, Motion to Recuse and attached Joint Affidavit, Judge Glanville must be recused. This Honorable Court must also be recused.

This 8th day of July, 2024.

Respectfully submitted,

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EXHIBIT A

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,)	
	)	INDICTMENT NO. 22SC183572
v.)	
)	
JEFFERY WILLIAMS,	)	JUDGE GLANVILLE
Defendant.)	

JOINT AFFIDAVIT OF BRIAN STEEL AND KEITH ADAMS, ESQ.¹

1. We are over the age of 18 and suffer no legal disability. We make this joint affidavit based upon our own personal knowledge.
2. We are counsel for Jeffery Williams in the above-styled case.
3. This joint affidavit is timely filed on Monday, July 8, 2024, which is five (5) days from July 1, 2024, to wit: the date that Affiants first received the transcript of the ex parte communications that occurred in the chambers of Judge Glanville dated June 10, 2024. (See Exhibit “B,” transcript of the June 10, 2024, ex parte hearing, page 56). Hence, this joint affidavit is timely filed.
4. Affiants hereby expressly adopt and embrace all statements made in the Motion to Disqualify/Recuse Judge Glanville and the Joint Affidavit attached thereto dated June 17, 2024, herein and rely on that timely filed and asserted Motion to Recuse as well as the Affidavit, in toto, herein.
5. Judge Glanville met with lawyer Love, the Honorable Attorney Bumpus, lawyer Hylton, at times the Court Reporter, sworn witness Mr. Kenneth Copeland, members of the District Attorney’s Office including, but not limited to, Fulton County District Attorney’s Office Investigators Long and Hamilton, as well as members of the Fulton County Sheriff’s Department outside of Mr. Williams’ and his counsels’ presence and discussed critical parts of Mr. Williams’ case in violation of Mr. Williams’ Constitutional rights to a fair tribunal, right to be present, right to Due Process, right to a fair trial, right to assist counsel and right to confront witnesses. See United States Constitution Amendments I, V, VI, XIV as well as Georgia Constitution Article I, Section I, Paragraphs I, XII and XIV.
6. The purpose of this ex parte meeting between lawyer Love, lawyer Hylton and Judge Glanville was to act in unison in order to influence sworn witness Mr. Copeland to testify against Mr. Williams. (See Exhibit “B”). There was absolutely no lawful purpose for this ex parte hearing to occur, to wit: there was no allegation by Mr. Copeland that he was somehow threatened, there was no allegation by Mr. Copeland that he was not satisfied with his counsel, there was no allegation by Mr. Copeland that he needed to meet with

¹ This Affidavit also moves to recuse the Honorable Fulton County Superior Court Judge Krause hearing the recusal Motion as stated herein.

Judge Glanville. (See Exhibit “B”). Instead, this ex parte meeting was orchestrated by lawyer Love, lawyer Hylton and Judge Glanville to convince Mr. Copeland to testify against Mr. Williams. (See Exhibit “B”). This influencing a witness meeting eviscerated any appearance of regularity of the tribunal and demonstrates, at the very least, that Judge Glanville is biased for the prosecution and against Mr. Williams and his counsel. (See Exhibit “B”).

7. Lawyer Love begins this unethical ex parte conference by explaining that the State’s reasons for Judge Glanville to meet with sworn witness Mr. Copeland is to impress upon Mr. Copeland that he needs to testify for the same reasons lawyer Love announced in open Court on Friday, June 7, 2024, to wit: the Honorable Jonathan Melnick, Esq. abandoned his client. (See Exhibit “B,” pages 3-5; see YouTube dated June 7, 2024 at 4:28:35 through 4:35:47, https://www.youtube.com/watch?v=PzUJc7_u7pl). At this point, rather than acting as a true Judge protecting our Court system and its reputation by questioning “why am I meeting ex parte and why am I being used to answer, in front of only members of the State of Georgia, questions of Mr. Copeland?,” Judge Glanville, because he is biased, agreed to help convince Mr. Copeland to testify adverse to the liberty of Mr. Williams. (See Exhibit “B”).
8. Lawyer Love made untruthful statements about e-mail correspondence with the Honorable Jonathan Melnick, Esq. (See Exhibit “B,” pages 3-5; See Exhibit “I,” attached hereto, e-mails with the Honorable Jonathan Melnick, Esq., the Honorable Maxwell Schardt, Esq. and Affiant Brian Steel).
9. Lawyer Love continues to make false representations and Judge Glanville knows, if he has paid attention at all during the proceedings, that lawyer Love makes intentional misstatements of fact routinely. Yet, lawyer Love deflects her misconduct and cites the ethical rules of conduct for attorneys during this ex parte hearing. (See Exhibit “B,” pages 4-5).
10. Lawyer Love explains the need for the ex parte communication “all that aside, we would like an opportunity for the [c]ourt to address Mr. Copeland with Mr. Copeland’s stand in counsel present. . .to allow [Attorney] Bumpus an opportunity to explain to Mr. Copeland everything that [lawyer Love] has just said.” (See Exhibit “B,” pages 3-6, specifically page 6, lines 2-8). Again, Judge Glanville has thrown away all appearance of propriety by permitting this ex parte meeting to occur at the behest of lawyer Love and/or lawyer Hylton. Judge Glanville is not independent and is being “lead by the nose” by members of the Fulton County District Attorney’s Office. This is because Judge Glanville is a member of the prosecution team. (See Exhibit “B,” entire transcript).
11. Judge Glanville then adopts the wrong law offered by lawyer Love that Mr. Copeland will be held in custody until he testifies. (See Exhibit “B,” pages 5-7). Lawyer Love seems to somehow assert that Mr. Copeland can be kept in custody even after Mr. Williams’ jury is discharged. (See Exhibit “B,” pages 6-7). Judges are presumed to know, respect and comply with the law. In re Judicial Qualifications Commission Formal Advisory Opinion No. 241, 301 Ga. 54 (fn. 4, 5, 6), 799 S.E.2d 781 (2017). Objectively, Judge Glanville permits several misstatements of law in order to have Mr. Copeland testify against Mr. Williams in order to assist the prosecution.

12. Judge Glanville becomes an advocate for Mr. Copeland to testify against Mr. Williams by telling Attorney Bumpus how to communicate with her client, Mr. Copeland, specifically that Mr. Copeland is “. . . going to face some pretty significant cross examination. . .” and Judge Glanville explains to Attorney Bumpus that “. . . it’s all in the message and the packaging in terms of I think Mr. Copeland is, you know, a savvy person. But you know he’s certainly going to be subject to a thorough and sifting cross examination.” (See Exhibit “B,” page 8, lines 9-11, line 21 through page 9, line 1). The fact that Judge Glanville is dispensing legal advice and strategies to Attorney Bumpus guiding her on how to speak with Mr. Copeland in order to have her client testify against Mr. Williams is a clear, direct fact that Judge Glanville has forfeited his judicial role. In re Judicial Qualifications Commission Formal Advisory Opinion No. 241, supra; former Canon 5(f), now Rule 3.10, states that full time Judges shall not practice law; see also former Canon 3(B)(9), now Rule 2.10(a). Judge Glanville is biased against Mr. Williams and is partial to the prosecution of Mr. Williams.
13. Judge Glanville, along with lawyer Love, continues to advise Attorney Bumpus what to tell her client, for instance, “. . . part of [Mr. Copeland’s] challenge [Attorney] Bumpus may be that you need to ensure [Mr. Copeland] ‘look, I’m going to be here. And if you think that they are asking you a question, they being the State or the defense, is asking you a question that’s going to bring out other crimes that you are going to – [Mr. Copeland’s] going to be able to look to you and say, can I have a chance to talk with you.’” Lawyer Love, who is working in lockstep with Judge Glanville, states “that’s exactly right.” (See Exhibit “B,” page 10, lines 5-13). Lawyer Love then inaccurately bashes Attorney Melnick by saying “there’s been an assertion that people are representing [Mr. Copeland’s] interests. . . the biggest concern is [Mr. Copeland’s] best interest and then they are just not here?” (See Exhibit “B,” page 10, lines 22-25). There is absolutely no reason that Judge Glanville and lawyer Love are discussing what Attorney Bumpus should be telling her client and no reason for Judge Glanville to permit lawyer Love to ridicule Attorney Melnick.
14. Lawyer Love again misrepresents by claiming that the Honorable Attorney Melnick “. . . has been talking to Brian Steel and Max Schardt. That’s it. He’s not talking to us.” (See Exhibit “B,” page 11, lines 16-19). Why does Judge Glanville hold this ex parte conference and permit lawyer Love to falsely accuse Affiant and the Honorable Attorney Maxwell Schardt of obstruction and ethical violations by influencing a lawyer-client relationship? This is extra-judicial information that Judge Glanville should have never received.
15. Judge Glanville continued to be a prosecutor of Mr. Williams when he instructs Attorney Bumpus that sworn witness Copeland can invoke the Fifth Amendment if he testifies about “unrelated crime.” (See Exhibit “B,” page 17, lines 9-23). Judge Glanville tells Attorney Bumpus that sworn witness Mr. Copeland is “. . . probably thinking about . . . there’s a lot of stuff [the defense] could ask me about . . . that is not known to a lot of people and . . . [Mr. Copeland] could also invoke the Fifth Amendment . . . if it was some other particular crime.” (See Exhibit “B,” page 17, lines 9-17). During this advice on what to explain to Mr. Copeland, lawyer Love and Judge Glanville are speaking with one voice. (See Exhibit “B,” page 17, lines 9-19). This has Judge Glanville presuming and pontificating that Mr. Copeland is involved in a lot of unrelated crimes that Mr. Williams, a criminal himself, is aware of same. (See Exhibit “B,” page 17, lines 9-20).

16. Thereafter, Judge Glanville and lawyer Love jointly explain to Attorney Bumpus that Attorney Melnick injected himself into these proceedings. (See Exhibit “B,” pages 17-19). The fact that Judge Glanville is having these conversations in the first place, then agreeing with and championing the prosecution’s cause mandates, even to a casual observer, that Judge Glanville is biased against Mr. Williams and favors the prosecution. (See Exhibit “B,” entire transcript).
17. This great bias cannot be more clear when Judge Glanville explains to Attorney Bumpus that she needs to give to sworn witness Copeland the questions that the State is going to ask him when he testifies and to ask Mr. Copeland to tell Attorney Bumpus any other facts that “they” (meaning Mr. Williams and his co-indictees) might ask about. Further, as long as Attorney Bumpus has knowledge of other crimes that sworn witness Copeland has committed, Judge Glanville states that Mr. Copeland will be fine because the State is only going to get into the questions that was provided to Mr. Copeland. (See Exhibit “B,” page 19, lines 6-17). It is ridiculous to claim that Judge Glanville is not biased and is impartial. Judge Glanville continues explaining to Attorney Bumpus that the reason she needs to know from Mr. Copeland what crimes he has committed in the past is “. . . **the defendants know more about Kenneth Copeland than anyone else, so they are probably going to kind of –.**” (See Exhibit “B,” page 19, lines 14-16). What gives Judge Glanville the right to state that Mr. Williams knows more about Mr. Copeland’s supposed bad conduct than anyone else? In reality, Mr. Williams hardly knows Mr. Copeland. Judge Glanville has pronounced guilt onto Mr. Williams. Judge Glanville imparts legal direction to Attorney Bumpus on how to prepare Mr. Copeland for cross examination and how to prepare Attorney Bumpus to object on behalf of Mr. Copeland. (See Exhibit “B,” page 19, lines 6-16). Judge Glanville has tarnished this trial forever as Mr. Williams could never have a fair trial with the way Judge Glanville has acted, both in front of the jury and outside of everyone’s presence in ex parte meetings with Fulton County District Attorneys and witnesses.
18. The conduct of Judge Glanville, lawyer Love and lawyer Hylton has caused them to be necessary witnesses at trial. Affiant intends to call as witnesses and cross-examine Judge Glanville, lawyer Hylton and lawyer Love on how many other ex parte meetings the three (3) of them and any other member of the prosecution team have had. Judge Glanville cannot be Judge and witness in the same proceeding.
19. Lawyer Love and Judge Glanville, acting in concert, tell Attorney Bumpus that Mr. Copeland can cancel legal representation because lawyer Love, lawyer Hylton and Judge Glanville have done everything to “. . . clear [Mr. Copeland] of judicial exposure.” (See Exhibit “B,” page 20, lines 2-17).
20. Without any reason to believe that Mr. Copeland might be fearful for his personal safety, Judge Glanville injects this safety concern as a hypothetical reason that Mr. Copeland would not testify. (See Exhibit “B,” page 21, lines 1-5). Lawyer Love, misrepresenting e-mails, continues the theme of Mr. Copeland’s personal safety. (See Exhibit “B,” page 21, lines 1-17). There is no evidence of same. (See Exhibit “B,” entire transcript, specifically page 26, lines 21-23).
21. Judge Glanville tells Attorney Bumpus that Mr. Copeland “. . . has to give testimony though. I mean, that’s what he has to do. [Mr. Copeland] got to give the testimony whatever it is: good, bad or indifferent.” (See Exhibit “B,” page 21, lines 18-21). The

question must be asked, “why does Mr. Copeland have to give testimony?” Is it because it favors the prosecution? Whose vantage point does Judge Glanville view this trial—“good, bad or indifferent” to whose position? Judge Glanville must be recused.

22. The Court Reporter announced “. . . off the Record.” Mr. Williams intends to call, at trial, lawyer Love and Judge Glanville to determine what was discussed during this “off the Record” time period. (See Exhibit “B,” page 22, lines 3-10).
23. Judge Glanville has the audacity to bring sworn witness Copeland into his chambers without the request of Attorney Bumpus but at the request of lawyer Love. (See Exhibit “B,” pages 21-22). From 9:34 A.M. until 10:03 A.M., nothing is recorded by the Court Reporter. Affiant will call lawyer Love, lawyer Hylton and Judge Glanville to probe what occurred during this time period. (See Exhibit “B,” page 23, lines 1-10).
24. Once in-custody, represented by counsel, sworn witness Mr. Copeland is brought involuntarily into Judge Glanville’s chambers, Judge Glanville explains “. . . I just wanted to bring you over and let you talk with [Attorney] Bumpus and see if there is anything that you need to ask of your counsel **or Ms. Hylton or the State or the court** before we bring you out this morning because it is – **we** would like to hear your testimony and it is kind of where **we** are at this point in time.” (See Exhibit “B,” page 23, lines 22-25; page 24, lines 1-4). It is hard to articulate how wrong this ex parte summit is and how obvious it is that Judge Glanville discarded the sanctity of the judiciary to become part of the prosecution team. Judge Glanville is biased and this case is Constitutionally broken because of the conduct of lawyer Love, lawyer Hylton and another member of their team—Judge Glanville. (See Exhibit “B,” entire transcript). Why is Judge Glanville inviting Mr. Copeland, a represented party, to ask questions of lawyer Hylton or other members of the District Attorney’s Office of Fulton County or the court? This is beyond comprehension for an impartial, seasoned jurist to act. This is because Judge Glanville is not acting as an impartial, seasoned jurist but is part of the prosecution team and must be recused.
25. Lawyer Hylton makes it clear that Mr. Copeland has never stated that he has a safety concern which is stopping him from testifying. (See Exhibit “B,” page 24, lines 21-24). Hence, this whole “safety concern” discussed earlier was totally fabricated by Judge Glanville and lawyer Love.
26. Mr. Copeland states “. . . I have never been truthful a day in my life until I just made this statement right now.” (See Exhibit “B,” page 24, lines 5-8). This is quintessential Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194, 10 L.Ed.2d 215 (1963), evidence. Judge Glanville never uttered a word, nor did lawyer Hylton or any member of the Fulton County District Attorney’s Office provide the defense notice as to this Brady evidence. Same is unconscionable. (See Exhibit “B,” page 24, lines 5-8). Affiant intends to call Judge Glanville as a witness at trial as well as lawyer Hylton to discuss the failure to reveal this information to Affiant and for the jurors to be able to understand. The jury has a right to know that when a Judge reads the instruction that the Court has no interest in this case except for a fair trial, same is not truthful as Judge Glanville is on the prosecution team.
27. Judge Glanville, lawyer Hylton and lawyer Love will be called as witnesses and have been added to Mr. Williams’ Witness List as announced by Affiant in open Court. The

fact that these three (3) persons attempted to hide Brady evidence is beyond the pale. Judge Glanville instructed the jury that he has no interest in the case except to see a fair trial. Same is untruthful and the jurors need to hear from these three (3) witnesses in order to make the determination on whether same was truthful or not.

28. Lawyer Hylton gives inaccurate legal information on whether Mr. Copeland can be prosecuted at all and gives some far-fetched ideas about the Federal Statute of Limitations and the State of Georgia Statute of Limitations. Judge Glanville sits idly by and allows lawyer Hylton to misrepresent to sworn witness Mr. Copeland that he cannot be prosecuted for crimes. (See Exhibit “B,” pages 24-26). Anyone with a modest interest in this case would know that the prosecution has called Mr. Copeland an unindicted co-conspirator and that the supposed RICO conspiracy Statute of Limitations continues today. Thus, Mr. Copeland could be prosecuted both in Federal Court and in the State of Georgia for crimes. This is wholly contrary to what lawyer Hylton and Judge Glanville allowed Mr. Copeland to believe.
29. Moreover, lawyer Hylton and Judge Glanville do not disclose other Brady v. Maryland, supra, evidence as lawyer Hylton explains that the State can assist Mr. Copeland with finding different places to live. This is part of an agreement that should be revealed pursuant to Giglio v. United States, 405 U.S. 150, 92 S. Ct. 763, 31 L.Ed.2d 104 (1972). Same was not done. Lawyer Hylton is a witness at trial and will be cross-examined by Affiant on these knowing misstatements to Mr. Copeland and the failure to reveal Brady and Giglio evidence. (See Exhibit “B,” pages 25-26). Same applies to Judge Glanville.
30. Lawyer Hylton then tells Mr. Copeland, who at that time was a represented person, that he can speak with her without Attorney Bumpus present. Judge Glanville did nothing to stop this potential unethical conduct. (See Exhibit “B,” pages 25-26).
31. Lawyer Hylton again tells Mr. Copeland that he is immunized from prosecution while Judge Glanville sits silent. That statement is not true as Mr. Copeland received only use immunity. (See Exhibit “B,” page 26; See Exhibit “F,” attached hereto, Order of Use Immunity). However, Judge Glanville reinforces lawyer Hylton’s wrong information because Judge Glanville is a part of the prosecution team. Judge Glanville tells Mr. Copeland that he will not be prosecuted for any crime. Judge Glanville and lawyer Hylton are acting as one, not separate, as required by law. (See Exhibit “B,” page 26).
32. Judge Glanville explains to Mr. Copeland that if he is “. . . worried about what the defendants may ask you because they may know your business. . . you can’t be prosecuted for any of those.” (See Exhibit “B,” page 26, lines 14-20). First, that is not true since Mr. Copeland was only given use immunity to Affiants’ knowledge. However, it is clear that Judge Glanville is an assistant to the prosecution because Judge Glanville, in order to help the prosecution, needs Mr. Copeland to testify and gives Mr. Copeland advice about cross-examination. (See Exhibit “B,” page 26, lines 9-20).
33. Importantly, Judge Glanville again asserts that Mr. Williams and the other co-indictees “. . . may know your business, but if they ask you about things that you might think you might have some liability with, you can’t be prosecuted for any of those.” This presumes that Mr. Williams knows Mr. Copeland’s criminal endeavors because Mr. Williams is a co-conspirator with Mr. Copeland. Judge Glanville is far from acting as an impartial Judge. (See Exhibit “B,” page 26, lines 16-20).

34. Mr. Copeland again puts an end to any made up safety concerns and explained that he does not want to testify because he will set a bad example for his family based on his past misdeeds. (See Exhibit “B,” page 26, lines 21-23). One must ask why is this ex parte conference occurring and why does it continue? The only logical answer is that Judge Glanville, lawyer Love and lawyer Hylton, acting in concert, had an agenda to ensure that Mr. Copeland testifies against Mr. Williams in order to convict Mr. Williams. This is the definition of a biased Judge and unethical prosecutors. This trial is Constitutionally broken forever because of the outrageous actions of these three (3) “public officials.”
35. Lawyer Hylton never provided to Affiant the Brady material that Mr. Copeland had told her in the past that he was a “liar.” Judge Glanville sits mute and does not ask whether this Brady evidence was provided to Affiant. (See Exhibit “B,” page 28, lines 14-19).
36. Mr. Copeland explained that he never told lawyer Hylton that the Honorable Attorney Melnick was not his lawyer and thus, lawyer Hylton met with a represented party. Judge Glanville does nothing to discuss this potential ethical misconduct by lawyer Hylton, lawyer Love and the other members of the Fulton County District Attorney’s Office. This is because Judge Glanville is also a member of the District Attorney’s Office of Fulton County. (See Exhibit “B,” pages 28-29).
37. Lawyer Hylton told Mr. Copeland that he would be held in custody until “. . . every last defendant has been tried. Not just the six [on trial], the other ones too.” (See Exhibit “B,” page 34, lines 2-18). Judge Glanville sits mute and delegates his judicial discretion of punishment to lawyer Hylton because Mr. Copeland does not have to be housed in custody until “every last defendant has been tried.” (See Exhibit “B,” page 34, lines 2-25).
38. Judge Glanville, like lawyer Hylton, attempts to intimidate Mr. Copeland by telling Mr. Copeland that if he chose not to testify, Mr. Copeland would be held in custody until all twelve (12) co-indictees’ cases come to an end. (See Exhibit “B,” pages 35-36). This is just not true. In fact, Judge Glanville is not even the Judge on the other co-indictees’ cases as same is being presided over by the Honorable Judge Dempsey. (See Exhibit “B,” pages 35-36).
39. Again, Judge Glanville and lawyer Hylton failed to reveal to Affiant Mr. Copeland’s statement that “I [told the police] whatever different story I could think of to try to finesse my way out of the situation.” (See Exhibit “B,” page 38, lines 11-18). Instead of turning over Brady evidence, lawyer Hylton, with the support of Judge Glanville, explained to Mr. Copeland that he can simply testify “I don’t recall.” (See Exhibit “B,” page 38, lines 11-18). Judge Glanville, lawyer Hylton and lawyer Love are inseparable and biased against Mr. Williams.
40. Judge Glanville advocates for the District Attorney’s Office of Fulton County when he tells Mr. Copeland “just tell the truth” while lawyer Hylton is telling Mr. Copeland “just tell the truth” and let lawyer Hylton worry about impeachment and Mr. Copeland will not get in trouble. (See Exhibit “B,” page 40). This excuses Mr. Copeland from giving false statements to law enforcement officers with the Statute of Limitations tolling provision. However, Judge Glanville tells Mr. Copeland to not worry about criminal violations as the commission of same would not get Mr. Copeland into trouble. (See Exhibit “B,” page 40, lines 9-22).

41. Seemingly, Judge Glanville, lawyer Love and Mr. Copeland spoke “off the Record” as Judge Glanville recounts that “. . . as Ms. Love said this morning, remember—Ms. Love said if you lie, if you overtly lie about something like if you tell bold faced whopper, then they can indict you on that particular charge—I mean that particular false statement.” (See Exhibit “B,” page 40, line 20-25; page 41, line 1). Thus, Judge Glanville and lawyer Love will be called as witnesses and cross-examined by Affiant as to what was discussed “off the Record.” Judge Glanville is a necessary witness in this case as is lawyer Hylton and lawyer Love and hence, Judge Glanville must be recused, removed and disqualified from his high position of “Judge” as he has voluntarily, knowingly and intelligently forfeited same.
42. Judge Glanville also sanctions a lie that is not a “bold faced whopper” and is allowing Mr. Copeland then to seemingly lie about something that is not a “bold faced whopper.” This is improper. (See Exhibit “B,” pages 40-41).
43. Mr. Copeland states, indirectly, that if he confesses while testifying to Murder, there is no statute of limitations for Murder and he will be prosecuted and lawyer Hylton stated that he will not be charged. (See Exhibit “B,” page 41). Judge Glanville sits mute during this exchange. (See Exhibit “B,” page 41). This Brady/Giglio evidence never made its way to Affiant by Judge Glanville or lawyer Hylton or anyone else with the Fulton County District Attorney’s Office. This, again, is unforgivable. Moreover, when Mr. Copeland is speaking about murder, lawyer Hylton states that if she knows Mr. Copeland is lying, to wit: knowingly lying on a material matter under oath in a judicial proceeding, i.e.- perjury, Mr. Copeland would not be prosecuted for false statements. Again, this is Brady/Giglio evidence that Judge Glanville and lawyer Hylton failed to reveal. Judge Glanville is no longer acting as a person on the judiciary but is acting along with lawyer Hylton and lawyer Love in an impermissible manner. (See Exhibit “B,” page 41).
44. Mr. Copeland told lawyer Hylton that she knew Mr. Copeland would plead the Fifth Amendment prior to taking the witness stand. Lawyer Hylton denied same. Judge Glanville was silent. This is also Brady evidence and impeachment evidence. This makes lawyer Hylton and Judge Glanville witnesses. (See Exhibit “B,” page 43).
45. Judge Glanville assured Mr. Copeland that he will not get “in trouble” for testifying and his testimony would then be impeached. Why would Judge Glanville say this? This could be a false statement. This could be perjured testimony. Yet, Judge Glanville is promising witness Copeland that he would not get in trouble. This is not conduct becoming of a Judge in the Great State of Georgia. (See Exhibit “B,” pages 44-46).
46. Judge Glanville ruled in his star-chamber that if the State wanted to impeach Mr. Copeland, the State can do same and Mr. Copeland would not get in trouble for that. Why is Judge Glanville explaining and anticipating rulings on what may happen in Court? (See Exhibit “B,” page 45). Judge Glanville must be removed/disqualified from the Bench of Mr. Williams’ trial.
47. Laywer Hylton explained that even if Mr. Copeland commits perjury, it would be treated as an inconsistent statement. This is again Brady/Giglio evidence not revealed to undersigned counsel. Judge Glanville sat silent and seemingly in agreement with lawyer Hylton. (See Exhibit “B,” page 46).

48. Judge Glanville sat silent as lawyer Hylton told Mr. Copeland that he has spent enough time in prison for YSL. (See Exhibit “B,” page 46, lines 22-25). This is extra-judicial information to Judge Glanville that marks YSL as a criminal street gang, a material element of counts in the Indictment, including Count One–RICO. This statement marks that persons supposedly associated with YSL are guilty of criminality. This entire illegal and unethical ex parte conversation was during a critical stage of the proceedings for which Mr. Williams as well as his counsel had the Constitutional right to be present for based upon the United States Constitution as well as the Georgia Constitution. This star-chamber meeting also violated Mr. Williams’ right to be present, as well as right to counsel, effective assistance of counsel, right to present a defense, right to Due Process, right to a fair trial, right to a fair tribunal and Statutory right to a fair and ethical prosecution. All of these rights have been denied based upon the improper conduct of lawyer Love, lawyer Hylton and Judge Glanville, all working together on the prosecution team. (See Exhibit “B,” page 46, lines 22-25).
49. Lawyer Hylton explained to Mr. Copeland that “. . . no[one] here [expects Mr. Copeland to remember every single detail from 2015].” (See Exhibit “B, page 47, lines 5-16). Why is lawyer Hylton able to speak for Judge Glanville who was present but silent? It is because they are on one (1) team. Judge Glanville has denied Mr. Williams of a fair trial and violated Mr. Williams’ Constitutional rights stated above and herein.
50. Lawyer Hylton and Judge Glanville functioned as one (1) cohesive engine as shown clearly by the following:
- (i) Mr. Copeland asked “. . . you can’t give me house arrest?” Lawyer Hylton answers “No. You can go home by taking the stand and testifying. That’s what you–.” Judge Glanville then states “and come back tomorrow.” (See Exhibit “B,” page 48, lines 14-20).

Judge Glanville allows lawyer Hylton to be the Judge by telling Mr. Copeland that he cannot have time to think about whether he is going to testify or not testify and that he cannot be sentenced to house arrest but will remain in jail. This colloquy illustrates the fact that lawyer Hylton, lawyer Love and Judge Glanville are working together as one. Judge Glanville has forfeited the right to be Judge on Mr. Williams’ case as he is biased. In fact, a fair Judge does not have to keep a person who refuses to testify in jail. There are other punishments besides same, including a fine, house arrest or whatever else the Judge deems appropriate. What legal right did lawyer Hylton have to pronounce punishment upon Mr. Copeland?

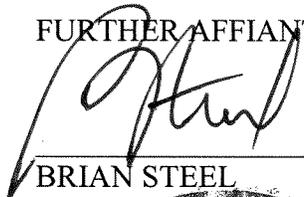
51. Judge Glanville fights for the prosecution by stressing to Mr. Copeland “. . . **They** want your testimony. That is all **they** want. Whatever that may be.” (See Exhibit “B,” page 49, lines 17-19). Judge Glanville is an advocate for the State. Why does Judge Glanville tell a witness that the State wants his testimony and that’s all they want? Why does Judge Glanville care that the State wants a witness’ testimony? That is not the concern of an unbiased Judge.
52. Lawyer Hylton explained that Mr. Copeland will not be charged with perjury. (See Exhibit “B,” pages 49-51). Although that is outside of the Order of use immunity that was provided to Affiant by Judge Glanville, no Brady/Giglio evidence was provided by

- Judge Glanville or lawyer Hylton. This is legally wrong. (See Exhibit “F,” attached hereto).
53. Lawyer Hylton and Judge Glanville misstate the law of perjury and give promises of no prosecution. This, again, is Giglio/Brady evidence not revealed by Judge Glanville or lawyer Hylton and, in fact, same was hidden from Mr. Williams until Mr. Williams insisted on receiving this transcript. (See Exhibit “B,” pages 50-51).
 54. Judge Glanville and lawyer Hylton are necessary witnesses as Mr. Copeland confessed to them “I did these crimes. I’m telling you that.” (See Exhibit “B,” page 51, lines 17-18). Coupled with the earlier statements by Mr. Copeland about murder, which does not have a Statute of Limitations, Mr. Copeland is telegraphing that he is responsible for the indicted offenses. This critical, exculpatory evidence was not given to Affiant by lawyer Hylton, lawyer Love or Judge Glanville. In fact, same was hidden. Affiant will call Judge Glanville, lawyer Hylton and lawyer Love as witnesses because the jury needs to see and hear how Judge Glanville, lawyer Hylton and lawyer Love cajoled perjured testimony from Mr. Copeland, hid Brady/Giglio evidence and worked together to wrongly convict Mr. Williams. The instruction that the Judge has no interest in this case is not true. Mr. Williams will invoke his Constitutional right to present a defense and call all necessary witnesses, including these three (3) cohorts. Judge Glanville must be recused. In a separate Motion, lawyer Hylton and lawyer Love must be disqualified from continuing on this case for their misconduct. See Reed v. State, 314 Ga. 534(4), 878 S.E.2d 217 (2022).
 55. Judge Glanville is a necessary witness also because he handed an unknown document to Mr. Copeland’s attorney in Mr. Copeland’s presence. Affiant will cross-examine Judge Glanville regarding why he would give this unknown document for Mr. Copeland. The jury needs to hear from Judge Glanville so that they can determine whether Mr. Williams has been given a fair trial by a detached, impartial jurist as claimed by Judge Glanville throughout the case. (See Exhibit “B,” page 52).
 56. Lawyer Hylton will be called as a necessary witness because she, like lawyer Love, met with Attorney Bumpus and/or Mr. Copeland for an unknown amount of time “off the Record.” Affiant will examine lawyer Hylton on the promises she made Mr. Copeland and other witnesses in the past as well that are not revealed to Affiant. (See Exhibit “B,” page 52).
 57. Judge Glanville and lawyer Hylton, working together, attempted to have Mr. Copeland dress in civilian clothing to appear before the jury as a witness. (See Exhibit “B,” pages 53-54). Why would Judge Glanville care how State’s witness Mr. Copeland appears before the jury? This is specifically true since Judge Glanville did not do same with an earlier witness, specifically Mr. White, who testified in jail clothing.
 58. Judge Glanville and lawyer Hylton speak for each other. Lawyer Hylton answered Mr. Copeland’s question on whether he would be “locked up for this” and lawyer Hylton responded, in front of Judge Glanville “so long as you testify, **we** will get an order to get you released.” (See Exhibit “B,” pages 54, lines 8-11). Judge Glanville remained dutifully silent as lawyer Hylton explained that “**she/we**” would obtain an order to have Mr. Copeland released. Judge Glanville, lawyer Hylton and lawyer Love are one and

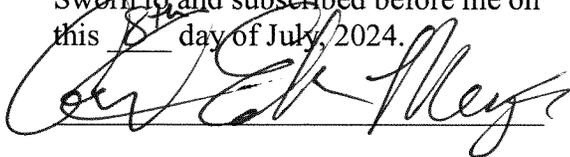
inseparable as they violate all of the named Constitutional rights of Mr. Williams and their respective oaths of office.

59. Again, Judge Glanville and lawyer Hylton handed Attorney Bumpus documents who then gave to Mr. Copeland unknown documents and Affiant will again examine lawyer Hylton and Judge Glanville on the witness stand on the contents of these documents and why they were given and the reason for putting pressure on Mr. Copeland to testify against Mr. Williams. The jury has a right to know whether Judge Glanville has committed numerous ethical and unlawful violations. Judge Glanville must be recused.
60. These are not the only times that Judge Glanville has shown bias against Mr. Williams and/or his counsel.
61. Judge Glanville initially refused to release the transcript of this ex parte hearing that occurred in his chambers on June 10, 2024 because he claimed same was "privileged." Obviously, that statement is ridiculous. (See Exhibit "C," pages 12, 16, 32, 45-46, 59).
62. Additionally, Judge Glanville must be recused, automatically, since he defended his position against Mr. Williams' Motion to Recuse filed on June 17, 2024. (See YouTube dated July 1, 2024 at 2:38:39 through 2:51:15, <https://www.youtube.com/watch?v=p-ztCDSuQXE>). See A&M Hospitalities, LLC et al. v. Alimchandani, 363 Ga. App. 531, 871 S.E.2d 290 (2022).
63. This Honorable Court (Judge Krause) must also be recused as she (i) sits on the Fulton County Superior Court bench along side of Judge Glanville and (ii) has accepted re-election campaign money from Judge Glanville, specifically receiving two thousand (\$2,000.00) dollars in April, 2024 from Judge Glanville. This occurred during Mr. Williams' current trial, which commenced on January 4, 2023 and is ongoing.
64. I swear that the above is true and accurate.

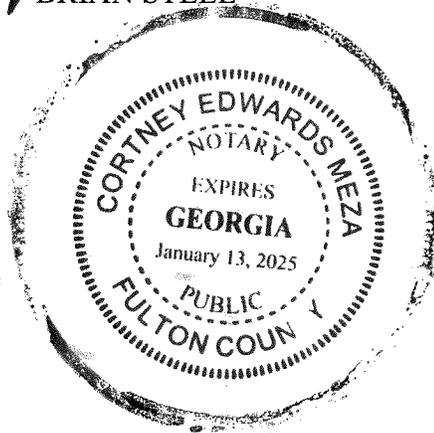
FURTHER AFFIANT SAITH NOT:

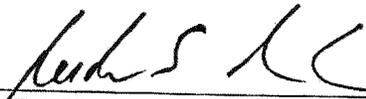
 7-8-24
BRIAN STEEL

Sworn to and subscribed before me on
this 8th day of July, 2024.



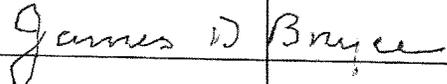
NOTARY PUBLIC
MY COMMISSION EXPIRES: 1/13/25





KEITH ADAMS, ESQ.

Sworn to and subscribed before me on
this 8 day of July, 2024



NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

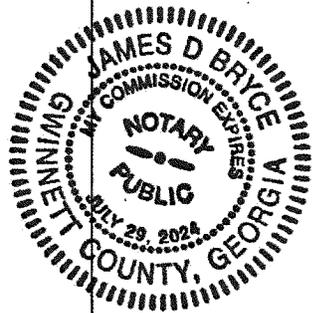


EXHIBIT B

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

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things so he can have some information.

MS. HYLTON: Okay.

THE COURT REPORTER: Are we off the record now?

THE COURT: Are we done?

MS. BUMPUS: Yes, I believe so.

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

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

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

EXHIBIT C

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)
)
 vs.)
)
) CASE NO.: 22SC183572
)
 MARQUAVIUS HUEY,)
 DEAMONTE KENDRICK,)
 QUAMARVIOUS NICHOLS,)
 SHANNON STILLWELL,)
 RODALIUS RYAN,)
 JEFFERY WILLIAMS,)
)
 Defendants.)
)
 _____)

Transcript of the Contempt Portion of the Proceedings
before the Honorable Ural D. Glanville
held on June 10, 2024
at the Justice Center Tower, Courtroom 1-C

Kristina Weaver, RPR, CCR-B-1785
185 Central Avenue, S.W.
Suite T-8955
Atlanta, Georgia 30303
(404) 612-0525

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ASHLEIGH MERCHANT
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Attorneys at Law

I-N-D-E-X T-O E-X-H-I-B-I-T-S

For the Court:

EXHIBIT

- 1 Notice of Appeal, Motion to Set Aside Contempt, and
Motion for a Supersedeas Bond

P-R-O-C-E-E-D-I-N-G-S

(1:46 p.m.)

THE COURT: Counsels, we're going to go back on the record. Can you bring out Mr. Copeland, please.

MR. STEEL: I have a motion that I need to make outside the presence of Mr. Copeland.

THE COURT: You can make it right now. Is he out?

THE DEPUTY: He's out.

MR. STEEL: The way I understand my constitutional obligations pursuant to the Sixth and Fourteenth Amendments to the United States Constitution and the corresponding sections of the Georgia Constitution, I'm required to make a full and complete statement to the Court.

For the record, and if God forbid this goes up on appeal, for the appellate courts or another tribunal, commission or administrative body, I was told based upon information and belief that when we arrived at 8:30, 9:00 today, we did not come into your courtroom until almost 11:00, 11:30.

What I found out just recently -- this is not waived -- is that supposedly in chambers this Honorable Court, honorable court reporter at times, the Honorable Court at times, the district attorney or district attorneys for the DA's office as well as investigators, sheriff deputies, Mr. Copeland and his counsel met together. None

1 of the defense team, to my knowledge, was aware this was
2 going on.

3 I was told based upon information and belief that it
4 was told to the district attorneys that Mr. Copeland
5 intended to plead the Fifth Amendment.

6 Then I was told based upon information and belief
7 that Adriane Love, the lawyer for Mr. Copeland, and this
8 Court were together, and Ms. Love made representations that
9 John Melnick supposedly spoke with some attorneys for the
10 accused and wrote an email to Ms. Love, to Adriane Love
11 stating that Mr. Melnick does not represent the witness and
12 that Mr. Melnick wrote an email saying "F-U", and then
13 somehow that email was cc'd to me. That never --

14 THE COURT: Mr. Steel, can I interrupt you for just a
15 second? I'm kind of disturbed because that is ex parte.
16 All that was an ex parte conversation. How did you find
17 out about any of that?

18 MR. STEEL: Well, I'm disturbed, too, and the
19 reason --

20 THE COURT: I'm asking you a question: How --

21 MR. STEEL: And I'm going to answer your question.

22 THE COURT: -- did you find out about it?

23 MR. STEEL: I'm going to answer your question.

24 THE COURT: Okay.

25 MR. STEEL: *Scudder* -- if you look at *Scudder v.*

1 State, which is 298 Ga. 438, it's Division 2, 782 S.E.2d
2 638, 2016, our Highest Court says when a Court meets --
3 because Mr. Copeland comes in -- meets with the Court, the
4 Court supposedly made statements, which I assume is
5 somewhat accurate based upon what you just said, we're
6 entitled, Mr. Williams and every other person wrongly
7 charged here is entitled under the Georgia Constitution to
8 be present. That's a critical stage.

9 THE COURT: Well, it's just like when you meet with
10 me, you and Mr. Adams meet with me and others have met with
11 me, those were ex parte for a lot of different other
12 reasons. But I will certainly note that for purposes of
13 the record.

14 MR. STEEL: Well, I'm going forward. What I was told
15 was that Mr. Copeland said --

16 THE COURT: You haven't answered my question yet.
17 How did --

18 MR. STEEL: I'm not going to answer that question.

19 THE COURT: You are not?

20 MR. STEEL: No, I will not answer that question.

21 THE COURT: Why will you not answer that question?

22 MR. STEEL: 'Cause I want to make sure that what I
23 say is accurate. I'm not trying to --

24 THE COURT: No, no, no. I'm asking you: How did you
25 get this information?

1 MR. STEEL: I'm not telling the Court. What I'm
2 saying is based upon information --

3 THE COURT: Well, listen, if you don't tell me how
4 you got this information, then you and I are going to have
5 some problems.

6 MR. STEEL: We can have as -- I have problems right
7 now.

8 THE COURT: Okay. Look, I don't want to know about
9 your problems at this point in time. All I'm asking you at
10 this point in time is: How did you come upon this
11 information?

12 Look, if the case gets reviewed, the record is going
13 to be available for our appellate court and for whatever
14 reason. But it's disturbing that somehow you have
15 surreptitiously gotten information in regards to the
16 Court's private ex parte conversation with a party. I
17 mean --

18 MR. STEEL: A party? A witness who was sworn in
19 Friday, the Court's telling -- this is what I was told. If
20 this is not true, it's not true. This Court handed --

21 THE COURT: Mr. Steel --

22 MR. STEEL: -- after Copeland --

23 THE COURT: Tell me how you --

24 MR. STEEL: -- perjury --

25 THE COURT: Tell me how you got the information.

1 MR. STEEL: Listen, however you want to --

2 THE COURT: Tell me --

3 MR. STEEL: I'm not telling --

4 THE COURT: -- how you got the information. Then we
5 can go ahead and go forward.

6 MR. STEEL: I'm not going to say that. What I'm
7 going to say is this: I was told, and I hope this concerns
8 the Court. I was told --

9 THE COURT: It concerns me that you have proprietary
10 information --

11 MR. STEEL: Why is it proprietary?

12 THE COURT: -- or information that you should not be
13 having that was ex parte with a party --

14 MR. STEEL: Why?

15 THE COURT: -- State of Georgia.

16 MR. STEEL: How about the witness? How about
17 Mr. Copeland, who supposedly announced he's not testifying
18 and he'll sit for two years? And then supposedly this
19 Honorable Court -- or, excuse me, let me rephrase that.
20 This Court supposedly said: I can hold you until the end
21 of this trial.

22 Ms. Hylton supposedly said: Actually all of the
23 defendants and then all 26 people are disposed of.

24 If that is true, then what this is is coercion,
25 witness intimidation, ex parte communications that we have

1 a constitutional right to be present for.

2 So I understand that you are upset towards me but I
3 know what I did. I'm doing --

4 THE COURT: Mr. Steel, I still want --

5 MR. STEEL: -- what everybody should do.

6 THE COURT: -- to know how did you come upon this
7 information? Who told you?

8 MR. STEEL: What I want to know is why wasn't I
9 there? Why did --

10 THE COURT: Sir, I'm going to hold you in contempt
11 if you don't tell me --

12 MR. STEEL: I'm not --

13 THE COURT: -- who this information came from.

14 MR. STEEL: I don't want to be held in contempt. I'm
15 not answering that question. That is attorney-client
16 privilege information. I am not answering that.

17 THE COURT: Attorney-client privilege? Unless you
18 were in my chambers, that's the only way you can figure
19 out --

20 MR. STEEL: I am telling you --

21 THE COURT: I tell you what. I'm going to give you
22 five minutes. If you don't tell me --

23 MR. STEEL: You don't have to --

24 THE COURT: If you don't tell me who it is, I'm going
25 to put you in --

1 MR. STEEL: Let me --

2 THE COURT: I'm going to put you in contempt

3 because --

4 MR. STEEL: I understand.

5 THE COURT: -- that is not attorney-client privilege.

6 MR. STEEL: Attorney work-product privilege. I am

7 not telling you.

8 THE COURT: How did you get that information

9 supposedly from my chambers? Did somebody tell you?

10 MR. STEEL: I'm not -- you should have told me.

11 THE COURT: You've got five minutes.

12 MR. STEEL: Well, I don't need it. I want to

13 continue.

14 THE COURT: You've got five minutes.

15 MR. STEEL: This is what I was told.

16 THE COURT: We're in recess.

17 MR. STEEL: Mr. Copeland --

18 THE COURT: We're in recess.

19 MR. STEEL: Mr. Copeland made statements --

20 THE COURT: We're in recess. Thank you.

21 (Judge Glanville leaves the bench.)

22 MR. STEEL: -- that he admitted to killing Donovan

23 Thomas and was -- don't take my notes. No, no, no, no, no.

24 (The proceedings stood in recess.)

25 THE COURT: All right. Do we have everybody here,

1 Sergeant Ingram?

2 SERGEANT INGRAM: Yes, sir, everybody is present.

3 THE COURT: Okay. Mr. Steel, would you take the
4 podium, please, sir.

5 (Brief pause.)

6 THE COURT: All right. Mr. Steel, before I recessed
7 I asked you how did you get this information, and it is not
8 covered by work product. There is only one way you could
9 have gotten it, so I'm going to ask you again.

10 MR. STEEL: And I respect that. And it gives me no
11 joy but, as you know, Georgia Rule of Professional
12 Conduct -- please check me -- Rule 1.6, Comment [5] reads,
13 and this is what I have, 1.6 --

14 THE COURT: I know what the rule says, but here's the
15 thing --

16 MR. STEEL: Well, let me just tell you --

17 THE COURT: But you've got to --

18 MR. STEEL: -- my understanding --

19 THE COURT: But in order -- you have --

20 MR. STEEL: -- interrupt --

21 THE COURT: You need to please tell me who you got it
22 from. I'm not asking you the sum and substance of anything
23 as of yet, okay, but I need you to tell me how you got the
24 information. If you don't tell me how you got the
25 information, I'm going to hold you in contempt.

1 MR. STEEL: I understand, and I don't want to be held
2 in contempt.

3 THE COURT: And I don't want to hold you in contempt,
4 but you -- this is so sacrosanct to have a conversation in
5 my chambers parroted to you and others. It is that
6 serious.

7 MR. STEEL: Yeah. That's why I raise it, it is that
8 serious that we should have been there and it shouldn't
9 have happened.

10 THE COURT: Sir, that is a whole separate issue, and
11 that is why --

12 MR. STEEL: That is the issue.

13 THE COURT: -- that is why ex parte conversations are
14 recorded.

15 MR. STEEL: Why would it be ex parte?

16 THE COURT: Because --

17 MR. STEEL: You act like it's ex parte under seal.

18 THE COURT: It's -- no. It's ex parte because that
19 is what the State asked me to do. It's just like when you
20 asked me --

21 MR. STEEL: I have never --

22 THE COURT: -- for an ex parte conversation.

23 MR. STEEL: I have never asked this Honorable Court
24 or any Court to meet with me and a witness.

25 THE COURT: Sir, tell me -- you're straying off the

1 issue.

2 MR. STEEL: I'm not. I'm trying to --

3 THE COURT: The issue is: How did you -- who -- how
4 did you get this information?

5 MR. STEEL: I understand the issue. I promise you I
6 understand it. But what I'm trying to ask you is if you
7 look at Comment [5], this is how I understand the law --

8 THE COURT: You cannot -- you can't violate something
9 and then use privilege.

10 MR. STEEL: I'm not violating anything.

11 THE COURT: Okay. But that is why I'm saying: How
12 did you get your information?

13 MR. STEEL: But just listen to what I'm trying to
14 tell you. You're saying --

15 THE COURT: Okay, but see --

16 MR. STEEL: You're threatening me with contempt.
17 Listen to --

18 THE COURT: -- the privilege in 1.6 would occur if
19 you were in the right place, right time to begin with. You
20 weren't.

21 MR. STEEL: Let me tell you -- I'm just reading from
22 it, but if I'm reading it wrong, I'm not trying to.

23 It says: 1.6 applies not merely to matters
24 communicated in confidence by the client but also to all
25 information gained in the professional relationship

1 whatever its source.

2 So you're asking me to break -- you are ordering me,
3 maybe, or you're asking me; I'm not saying you are ordering
4 me -- to give you information, and you are saying it is not
5 sum and substance. But I'm telling you I can't do that
6 under the bar rules.

7 THE COURT: All right. Well, I'm going to hold you
8 in contempt and you can think about it. And at 5:00 today
9 we'll see where you are, where you stand on that point
10 because, no, that is not what I understand the rule to be.
11 I have not asked you sum and substance of what was said. I
12 asked you how you got it.

13 MR. STEEL: I can't do that.

14 THE COURT: Yes, you can, because I have an idea how
15 you got it.

16 MR. STEEL: Well, your idea may be wrong.

17 THE COURT: I have an idea how you got it but that is
18 improper, sir.

19 MR. STEEL: Your idea may be wrong, and you're asking
20 me to -- listen, I told you the first time and I'm
21 not going to breach that confidence.

22 THE COURT: Sir, I don't want to hold you in contempt
23 but this is that serious.

24 MR. STEEL: Judge --

25 THE COURT: You cannot eavesdrop and get information

1 that was not meant for you to hear at that particular point
2 in time.

3 MR. STEEL: Judge, listen -- and listen. I will do
4 whatever you want until 5:00 or thereafter, but what I'm
5 trying to tell you is, your Honor, this is so serious to me
6 we need a hearing and I'm moving for a mistrial. It is my
7 understanding based upon information and belief --

8 THE COURT: From whom?

9 MR. STEEL: Well, I would like to get the substance
10 first and then we can talk.

11 THE COURT: Well, then you will be in custody until
12 then because you need to tell me how you got the
13 information. I'm not asking you what was said. You have
14 already kind of given us some snippets of what you said.
15 That tells me that somebody parroted that information to
16 you so --

17 MR. STEEL: But you are assuming something because I
18 told you already --

19 THE COURT: Well, then other than --

20 MR. STEEL: -- I can't answer that under
21 attorney-client --

22 THE COURT: -- if you were sitting -- unless you were
23 sitting in there with a recorder, or Ms. Love or Ms. Hylton
24 or one of the deputies gave you that information, or
25 Ms. Weaver shot you a rough copy of the transcript, there

1 is only one other person that is left.

2 MR. STEEL: Well, your Honor --

3 THE COURT: And if that person gave you that
4 information or shared that information with you, she
5 probably violated privilege.

6 MR. STEEL: Well, let me tell you two things.

7 One, I don't know how that is a privileged
8 communication. It shouldn't have been ex parte.

9 THE COURT: Because she has a client she's supposed
10 to represent.

11 MR. STEEL: Who are you talking about?

12 THE COURT: But anyways, I'm not going to have a --

13 MR. STEEL: When I got this information --

14 THE COURT: I'm not going to have any further
15 conversation --

16 MR. STEEL: Well --

17 THE COURT: -- with you about this. I want to
18 know -- the question still remains. I want to know how --
19 who gave you this information.

20 MR. STEEL: I'd like to know what information
21 happened outside of us. That's really it.

22 THE COURT: He can go into custody at this point in
23 time.

24 MR. STEEL: I think that the Court needs to again
25 declare a mistrial based upon --

1 THE COURT: Okay, and I'm going to deny --
2 MR. STEEL: -- the Court --
3 THE COURT: I'm going to deny your motion --
4 MR. STEEL: -- becoming --
5 THE COURT: I'm going to deny your --
6 MR. STEEL: I understand that you --
7 THE COURT: -- motion for mistrial.
8 MR. STEEL: -- spoke with the witness outside of our
9 presence, a sworn --
10 THE COURT: Yes. I had an ex parte conversation --
11 MR. STEEL: And you --
12 THE COURT: -- which is appropriate --
13 MR. STEEL: And you influenced the witness based upon
14 information and belief, and I would like to have that on
15 the record.
16 THE COURT: All right.
17 MR. STEEL: I mean, I don't know why that's so hard
18 to do. If nothing happened bad, that's fine. But you are
19 acting like tell me who it is and don't talk about the
20 substance. Why can't we have an issue that was outside our
21 presence that should not have been --
22 THE COURT: Because you got some information that you
23 shouldn't have gotten.
24 MR. STEEL: Why?
25 THE COURT: Well, that's for another day.

1 MR. STEEL: But why --

2 THE COURT: Okay, that's for another day.

3 MR. STEEL: -- why were we excluded in the first
4 place? I didn't know about this --

5 THE COURT: That is for another day.

6 MR. STEEL: -- to raise it before the Court. I
7 raised it as soon as we found out about it.

8 THE COURT: Well --

9 MR. STEEL: I gave you the case I'm relying on. I
10 assume you read it. If you didn't read it, you should read
11 it. It's a material part, a critical part of the case.
12 When a judge speaks with a witness outside the presence of
13 the accused, the Court has said -- it's right there in
14 Division 2 --

15 THE COURT: I -- okay.

16 MR. STEEL: -- that is a material or critical part of
17 the case and it's an automatic reversal.

18 THE COURT: Mr. Steel --

19 MR. STEEL: But you are acting like --

20 THE COURT: Mr. Steel --

21 MR. STEEL: -- it's a private --

22 THE COURT: Mr. Steel, that is not when -- that is
23 not the case when somebody discloses information in an ex
24 parte conversation that one of the parties lawfully asked
25 me to hold.

1 MR. STEEL: You are not supposed to have
2 communication with a witness who has been sworn. I'm not
3 telling you -- I'm just saying if you read -- I'm assuming
4 you read it. That is what it says, and you did it --

5 THE COURT: Supposedly. Does the State wish to be
6 heard?

7 MS. LOVE: Yes.

8 MR. STEEL: You said it supposedly --

9 MS. LOVE: Yes, your Honor --

10 MR. STEEL: -- and what I'm trying to get to --

11 MS. LOVE: -- the State does.

12 MR. STEEL: -- is why that happened outside our
13 presence. And I need to have the -- I am respectfully
14 requesting the transcript that you mentioned to be given to
15 us so we can really understand it. And then anything that
16 is not on the transcript, if anything, that we understand
17 what happened outside our presence.

18 THE COURT: Okay.

19 MR. STEEL: And now you have put it where somehow I
20 have to reveal -- and I told you. I told you the first
21 time I would be breaching 1.6. And I know you are assuming
22 something --

23 THE COURT: I don't think you are breaching 1.6. You
24 can't hide behind 1.6.

25 MR. STEEL: I'm not hiding behind anything.

1 THE COURT: You can't hide behind -- the thing is I
2 think that you got this information -- somebody disclosed
3 it to you, and that is the only way you could have gotten
4 it --

5 MR. STEEL: What I got --

6 THE COURT: -- unless you were sitting there. Unless
7 you were sitting there and eavesdropping. So you can't use
8 something ordinarily that you had no business getting to
9 begin with and then stand on, well, hey, we didn't give you
10 the information or a party didn't give you the information.
11 So --

12 MR. STEEL: Your Honor, that is the issue, isn't it?

13 THE COURT: Well, I'll --

14 MR. STEEL: Why aren't we entitled to the --

15 THE COURT: You know, that --

16 MR. STEEL: But isn't that the issue?

17 THE COURT: -- that leads to be told. But, State --

18 MR. STEEL: But right now --

19 THE COURT: -- do you have any --

20 MR. STEEL: -- we don't know --

21 THE COURT: Mr. Steel --

22 MR. STEEL: -- why we were excluded from that --

23 THE COURT: Mr. Steel --

24 MR. STEEL: -- and I want that information --

25 THE COURT: Stop.

1 MR. STEEL: -- because Mr. Williams' --
2 THE COURT: Just stop.
3 MR. STEEL: -- constitutional right --
4 THE COURT: Just stop.
5 MR. STEEL: -- under the Georgia Constitution --
6 THE COURT: Just stop at this point in time
7 because --
8 MR. STEEL: -- Article I, Section I, Paragraph XII --
9 THE COURT: -- because you already said that --
10 MR. STEEL: -- of the Georgia Constitution, and we
11 had a right to be present --
12 THE COURT: All right, Mr. --
13 MR. STEEL: -- and we're not waiving anything.
14 THE COURT: Madam, Ms. Love?
15 MS. LOVE: Thank you, your Honor.
16 MR. STEEL: And, your Honor, I know I said this
17 previously --
18 THE COURT: Yes, sir.
19 MR. STEEL: -- but we are not accepting any
20 proffer --
21 MS. LOVE: Oh, gosh.
22 MR. STEEL: -- from Ms. Love.
23 MS. LOVE: Okay. Excuse me.
24 THE COURT: Okay. All right. Yes, ma'am?
25 MS. LOVE: Your Honor, I am disturbed by Mr. Steel's

1 representations to the Court. The Court has inquired. We
2 have no way of knowing what it is or who it was that
3 disclosed information that was contained within an ex parte
4 conversation. Not only was there an ex parte communication
5 between -- that we requested as the State to be on record
6 with the Court, but there was communication made I believe
7 to a person and his lawyer.

8 I don't know that the reason that counsel took the
9 podium was to address that particular issue so much as it
10 was to try and assert an inaccurate, what he calls, fact
11 and put it out there in the open as if it were true.

12 But we certainly have the right to request ex parte
13 communications. That is why we asked that the court
14 reporter be present. This is a matter that the defendants
15 did not have a right to be a part of as this was a matter
16 regarding a civil contempt that the Court imposed upon a
17 person for not obeying the Court's directive.

18 The State read the case that Mr. Steel cited. It
19 does not stand for the proposition he asserts that it does.
20 And regarding further legal support for our position, we
21 would provide that to the Court.

22 But we are more concerned that information that is
23 disclosed in an ex parte setting gets relayed to the
24 parties who were not privy to that. The whole purpose of
25 the ex parte request was so that did not happen. And we

1 expressed on the record our concerns and our reasons for
2 concern regarding that.

3 We believe that without more information about how
4 that information got relayed to the defendants, we cannot
5 make the kind of assertion I would be inclined to make. So
6 before making the next set of assertions, I would need to
7 know how that information was made privy to them, to
8 counsels for the defendant.

9 We did not act inappropriately or outside of the
10 Rules of Professional Responsibility. And if need be, we
11 will reach out to the State Bar ourselves and ask what the
12 appropriate remedy is for everything that has happened over
13 the last two days -- well, the last two workdays because we
14 are extremely concerned. We have observed a number of
15 actions on the parts of a number of people that I am not
16 comfortable stating publicly at this time but that would
17 appear to call for being addressed in some other way.

18 So as to Mr. Steel's request, I guess it was for a
19 mistrial. I'm not even certain what all that was. I think
20 it was probably more to make inaccurate assertions on the
21 record public to whomever was within listening shot of his
22 voice. And we would ask that the Court strike everything
23 that he said from the time he stood up and started talking
24 after the Court asked him where it was that he obtained the
25 information that was made privy in counsel for this court.

1 THE COURT: All right.

2 MS. LOVE: And regarding Rule 1.6, your Honor, we
3 read 1.6. And my understanding there, 1.6 in no way
4 shields Mr. Steel's answer that the Court requested he
5 give. Rule 1.6 has to do with attorney-client privilege,
6 and that is information that Mr. Steel obtained from his
7 client regarding whatever matters.

8 I don't know if the information was leaked to his
9 client from someone who was in chambers, or if the
10 information was leaked directly to Mr. Steel. In either
11 event, it is concerning and in no way falls under the
12 protections of Rule 1.6.

13 If the Court would allow me a moment.

14 THE COURT: All right.

15 (Brief pause.)

16 MS. LOVE: And, your Honor, regarding further
17 appropriate remedies, your Honor, we would ask the Court
18 for an opportunity to further look into appropriate
19 remedies for circumstances such as this apart from what the
20 Court has already said because it's grave enough when
21 information is leaked from within the Court's chambers
22 regarding a matter that has been requested as ex parte, and
23 we would ask for the opportunity to present to the Court
24 additional appropriate remedies that we believe are
25 available.

1 THE COURT: All right.

2 MR. ADAMS: Your Honor, may I be heard?

3 MS. LOVE: And, your Honor, also unless it's
4 Mr. Adams representing Mr. Steel in the capacity as someone
5 who has been held in contempt, Mr. Steel just argued
6 whatever it is that they are trying to argue based on
7 information we believe illegally obtained --

8 THE COURT: Mr. -- okay.

9 MS. LOVE: -- from the Court's chambers.

10 MR. ADAMS: I represent Mr. Williams, and my
11 statements are in regards to my representation of
12 Mr. Williams.

13 THE COURT: All right.

14 MR. ADAMS: He has two attorneys.

15 THE COURT: Yeah, he does, but --

16 MR. ADAMS: The Court now having found Mr. Steel in
17 contempt, if the Court continues in that position, that
18 leaves Mr. Williams represented at least at this juncture
19 by myself.

20 That puts me in a position of making sure the Court
21 is aware that I'm in receipt of the same information that
22 Mr. Steel received. I am of the same opinion that the
23 Court has engaged in behavior that I believe compromises
24 and corrupts the continuation of this trial. I do believe
25 that we are entitled to and should receive a copy of the

1 transcript so that a full investigation can be made as to
2 what we believe has occurred here.

3 So I take the same position as Mr. Steel. I am
4 asking for a mistrial as he did previously, and I'm telling
5 the Court that I do not believe that we can proceed at this
6 point based upon the information that we received.

7 THE COURT: All right, sir.

8 MR. ADAMS: And, frankly, I don't believe the State
9 has any say in that. My statements are in regards to my
10 representation of Mr. Williams. And if Mr. Steel is going
11 to be held in contempt, I'll have exactly the same
12 position. I also do not believe that --

13 THE COURT: Well, I asked him, so I didn't ask you.

14 MR. ADAMS: Yeah.

15 THE COURT: But I'll leave it at that. Okay.

16 MR. SCHARDT: May I be heard, your Honor?

17 THE COURT: What is it, Mr. Schardt?

18 MR. SCHARDT: Thank you, your Honor.

19 As you know, I represent Shannon Stillwell. On
20 behalf of Shannon Stillwell, I'm going to be moving for a
21 mistrial first and foremost.

22 I just want to clear up a few things that have been
23 said. Today we were instructed to come 8:30 for 9:00
24 start. I would not be honest with the Court if I said I
25 was here at 8:30 but I was probably here at about 8:40.

1 We did not start until approximately, I'm estimating,
2 11:00. Clearly we figured something was going on. We were
3 given no information about any meeting, who was meeting,
4 what the meeting was about, or whether the meeting was ex
5 parte or not ex parte, who requested the meeting, who was
6 in the meeting. We were completely in the dark and, quite
7 frankly, we kind of remain in the dark.

8 I am not a false accuser, okay? I do not just
9 willy-nilly accuse people of things, so I'm not going to
10 throw out spurious allegations like the ones that have been
11 thrown at me over the past couple days that are absurd.

12 But I will say, your Honor, what I do know is just
13 based on what we've heard over the last 20 minutes, it
14 appears that there was a meeting that I know -- knew
15 nothing about that involved your Honor, the district
16 attorneys, and a witness who had been sworn in.

17 My client was not given an opportunity to be present
18 at this critical stage. That was a critical stage in this
19 trial. That error is a foundational structural error in
20 this case, and it is the cause for an immediate mistrial.

21 Additionally, your Honor, I believe that this
22 meeting -- again, I'm going to ask for the transcript and
23 I'm going to ask for the recordings as well should they
24 exist. But I believe that this may have also, this meeting
25 with a witness without us present, may have made the

1 district attorneys and/or your Honor a witness in this
2 case, a material witness in this case.

3 And finally, your Honor, I'm going to ask for -- as
4 soon as possible, I'm going to ask that these proceedings
5 be halted until we can obtain an accurate final transcript
6 for what occurred where none of the defense -- none of the
7 defendants or defense counsel were present for and also the
8 recordings of that meeting so we can see where we are.

9 Again, I'm not going to sit up here and make false
10 accusations or spurious allegations, but I do think we need
11 to figure out what happened. We need to be in the know and
12 not in the dark about what happened when a meeting occurs
13 with a witness that has been sworn in and we're not invited
14 to the party.

15 So those are my requests, your Honor. I think it's
16 necessary at this time to put a halt to these proceedings.
17 I am moving for a mistrial. I have not waived anything. I
18 just found out about this information. It is timely, and
19 that is our stance, your Honor. Thank you.

20 THE COURT: I have noted your motion for mistrial.
21 It is denied.

22 Are you -- same thing? You want the Harvey --

23 MR. WEINSTEIN: I'm joining in Mr. Schardt's motion
24 for --

25 THE COURT: Okay, all right.

1 MR. WEINSTEIN: -- mistrial, your Honor, and I'm
2 adopting all his statements.

3 THE COURT: All right.

4 MR. MATTHEWS, SR.: Good afternoon, your Honor.
5 Careton Matthews here on behalf of Mr. Marquavius Huey.

6 THE COURT: Okay.

7 MR. MATTHEWS, SR.: We are also adopting all the
8 arguments that have been made by attorney Brian Steel, by
9 attorney Keith Adams, by attorney Max Schardt, by attorney
10 Douglas Weinstein.

11 We also, your Honor, we were here at the appropriate
12 time. And when the Court did come out, we were not made
13 aware that there had even been an ex parte communication
14 that was had that was on the record just in the point of
15 letting the parties know that there had been this
16 particular meeting.

17 I had my suspicions that that was likely what was
18 going on, but I could not reduce that to a fact. When the
19 Court came out, the Court just got started, Judge. And we
20 believe that based upon -- again, ex parte, we don't have
21 to know the substance all the time. Just the fact that
22 there was that meeting, your Honor, would have at least put
23 us on some notice that there was something that was going
24 on even beforehand. I thought that would have been the
25 appropriate move.

1 But nonetheless, your Honor, I'm asking the Court for
2 a mistrial. I believe it is appropriate here under these
3 facts and circumstances. Thank you.

4 THE COURT: All right. Motion for mistrial denied.
5 Ms. D'Williams?

6 MS. D'WILLIAMS: Angela D'Williams for Rodalius Ryan.
7 We're joining in on and adopting all the motions.

8 THE COURT: Thank you, madam. Motion is denied.
9 Mr. Gardner?

10 MR. GARDNER: Lamar Gardner for Mr. Nichols. We,
11 too, adopt all arguments raised by the other defense
12 attorneys and motions.

13 THE COURT: Okay. So noted. All right.
14 Okay, Mr. Steel, last time, who told you?

15 MR. STEEL: I have the same answer.

16 THE COURT: All right. Mr. Steel is in custody. And
17 once he clears the area, we'll go ahead and get started.

18 MR. ADAMS: If by that the Court means we'll get
19 started resuming the trial, your Honor --

20 THE COURT: Yes, we're going to continue. I'm not
21 halting nothing.

22 MR. ADAMS: I'm not going to participate in the trial
23 without Mr. Steel and without --

24 THE COURT: You don't have that luxury at this point
25 in time, sir. You don't. You don't --

1 MR. ADAMS: Without the Court addressing --

2 THE COURT: You don't have that luxury. You don't
3 have that luxury at this point in time. You don't.

4 MR. ADAMS: Without the Court addressing the issue
5 that we believe is germane to --

6 THE COURT: Sir, you-all are really getting
7 yourselves cross-purposes at this point in time.

8 MR. ADAMS: I don't believe so, Judge.

9 THE COURT: Sir, I'm telling you, you are at this
10 point in time. You made some things out of nothing. I
11 think that you are on very precarious ground at this point
12 in time.

13 So I'm telling you at this point in time he is in
14 custody. We're going to go ahead and start. You can
15 represent Mr. Williams. That's okay. That's fine. I'll
16 take up the other stuff as needed. But I'm not going to
17 take it up right now.

18 MR. ADAMS: Respectfully, Judge, I will not.

19 THE COURT: Say again?

20 MR. ADAMS: Respectfully, I will not. I cannot
21 properly represent Mr. Williams until this issue is
22 addressed.

23 THE COURT: You are going to have to do the best you
24 can at this point in time because you don't get to extort
25 the Court. That is what you are attempting to do. You are

1 trying to, "I'm not going forward if I don't get this." It
2 doesn't work that way, Mr. Adams.

3 And I am telling you at this point in time I would
4 just kind of govern yourself accordingly, sir. I'm telling
5 you as the Court under these particular circumstances,
6 everything will come out as it should. I don't think --

7 MR. ADAMS: Not if the Court doesn't address it, and
8 the Court has refused to address it.

9 THE COURT: Sir, sir, I don't have enough information
10 at this point in time to address it --

11 MR. ADAMS: We don't have information.

12 THE COURT: -- I don't. But I'm telling you at this
13 point in time there is nothing that was given, said,
14 whatever this morning that --

15 MR. ADAMS: If there is any accuracy to some of the
16 information that we are --

17 THE COURT: But, sir, I don't even know -- your
18 co-counsel -- your co-counsel won't even tell me who said
19 whatever, okay --

20 MR. ADAMS: (Unintelligible.)

21 THE COURT: -- and the challenge I'm having in this
22 particular circumstance is that is such a violation of the
23 sacrosanctness of the Court's chambers and an ex parte
24 conversation. You are just glossing over that. You are
25 glossing over that --

1 MR. ADAMS: I think the Court --
2 THE COURT: -- in its entirety.
3 MR. ADAMS: -- is glossing over the fact --
4 THE COURT: No.
5 MR. ADAMS: -- that it's a violation of Mr. Williams'
6 rights.
7 THE COURT: It's not -- sir --
8 MR. ADAMS: What happened -- what we believe occurred
9 is not how --
10 THE COURT: That's not what --
11 MR. ADAMS: (Unintelligible).
12 THE COURT: That's not --
13 MR. ADAMS: (Unintelligible.)
14 THE COURT: That's not what happened.
15 MR. ADAMS: (Unintelligible) not appropriate.
16 THE COURT: That's not what happened. I'm just
17 telling you, that's not what happened.
18 MR. ADAMS: Judge, respectfully, we are not obligated
19 to simply accept that there has been no violation. We
20 believe that there has been, and the only way --
21 THE COURT: Okay, well then you made --
22 MR. ADAMS: -- whether or not we get a transcript.
23 THE COURT: Well, then you've made your -- no, we're
24 not doing that at this point in time. You will have a
25 choice to make.

1 Okay, take Mr. Steel into custody, please.

2 MR. ADAMS: I'm not proceeding without us being heard
3 on this issue.

4 (Brief pause.)

5 MS. LOVE: Your Honor, would the Court afford me one
6 moment to confer with counsel regarding the appropriate
7 remedy in this type of circumstance?

8 THE COURT: Okay. All right.

9 (Brief pause.)

10 MR. STEEL: May I say one thing, your Honor?

11 THE COURT: Yes, sir, you certainly may.

12 MR. STEEL: Mr. Williams does not wish to go forward
13 without me being here. You are removing me against his
14 will and my will. You are taking away his right to
15 counsel, and you are conducting material parts of this
16 trial without me present and I can't learn about it by
17 watching it online.

18 So for that reason additionally I ask for a mistrial.
19 And I assume you deny it, but I would like you to deny our
20 motions for mistrial. You denied the other people.

21 THE COURT: I denied your motion but I'll certainly
22 take that under advisement, sir.

23 (Brief pause.)

24 THE COURT: We're going to be in recess for the next
25 five minutes.

1 (The proceedings stood in recess.)

2 THE COURT: Tell Mr. Adams to come in so I can put
3 some things on the record, please.

4 (Brief pause.)

5 CAPTAIN KENDLE: Your Honor, Mr. Adams is present.

6 THE COURT: Just hang tight, sir.

7 (Brief pause.)

8 THE COURT: All right. Mr. Adams, let me address
9 your, first, refusal to go forward.

10 We have had plenty of circumstances in this trial
11 where you have been lead counsel and you have done more
12 than a yeoman's job of representing Mr. Williams, and I
13 don't doubt that that won't continue.

14 So you don't get to have your entire defense team
15 here. You get -- you certainly get competent counsel,
16 which the Court finds that you are in this particular
17 circumstance. And an appellate court will review my
18 decision for abuse of discretion.

19 So I'm going to direct that you continue to represent
20 Mr. Williams. You can consult with Mr. Steel at any breaks
21 or anything such as that. I'll allow you to do that and
22 continue to do that.

23 But Mr. Steel put himself in this particular position
24 in terms of I'm not asking him for any other -- or you --
25 for any other information that might be privileged or any

1 other conversations. But I need to know who told you
2 because that then drives other things the Court needs to
3 probably do.

4 So he is the reason as to why we're here in this
5 particular circumstance. So if you or he want to disclose
6 to me who told you that, I will be more than happy to
7 reconsider.

8 MR. ADAMS: Well, I know Mr. Steel will not. I also
9 will not. And I respect this Court. I respect the Court
10 has to do whatever it believes appropriate.

11 But I would ask that the Court also respect my
12 representation of Mr. Williams and standing for him when we
13 believe there has been a violation that affects his right
14 to a fair trial, and we believe that is the position we're
15 in. And I would respectfully decline the Court's order for
16 me to continue forward at this time.

17 MS. LOVE: Your Honor, may I address the Court?

18 THE COURT: Sure.

19 MS. LOVE: Thank you. Your Honor, there are two
20 things at issue here. And one of them, your Honor, is
21 that --

22 MR. ADAMS: Can I ask of the Court how it is that the
23 State has any position in this particular conversation
24 between the Court and myself?

25 THE COURT: Before we recessed, Ms. Love said she was

1 going to research this ethical issue because it is an
2 ethical one. So just much like you could add to it, I'm
3 asking the State if they wish to add to that as well, sir,
4 okay?

5 MS. LOVE: Thank you, your Honor.

6 Your Honor, we believe that there are two matters at
7 issue here.

8 One obviously is Mr. Williams' right to counsel of
9 his choice during the trial of the case. We believe that
10 the Court has the discretion to fashion any remedy, any
11 punitive remedy for contempt that it chooses.

12 We would ask that the Court fashion a punishment for
13 the contempt that affords Mr. Williams the right during
14 these proceedings while court is in session to both counsel
15 for -- both of his counsels; for Mr. Steel to be present in
16 the courtroom -- he can still be held in contempt -- but
17 for Mr. Williams to have representation of both Mr. Steel
18 and Mr. Adams while court is in session; and that the
19 Court's remedy does not affect his ability to have his
20 counsel of choice represent him during this trial.

21 We believe that it will -- that so far this issue
22 alone has needlessly delayed the trial of the case, and we
23 believe that it may be in someone's best interest and in
24 others not in their best interest for that delay to
25 continue.

1 So we would ask that the Court, notwithstanding the
2 finding of contempt, allow both Mr. Williams -- both
3 Mr. Steel and Mr. Adams to be present while these
4 proceedings are going on and while court is in session,
5 physically --

6 THE COURT: I think that would be appropriate under
7 the circumstances. And Mr. Steel certainly -- I can
8 inquire about before the end of the day if he wishes to
9 disclose that information that I asked him and then he can
10 certainly purge himself of that contempt.

11 So, yes, that's fine. We'll go ahead and do that.

12 MS. LOVE: The second thing I wanted to put on the
13 record is that there was no substantive communication with
14 any witness in this case outside the presence of any
15 counsel for the defendants or any defendants in this
16 courtroom.

17 The matter, your Honor --

18 MR. SCHARDT: Your Honor --

19 MS. LOVE: Your Honor, if I may finish. The matter
20 that the State requested an ex parte audience with the
21 Court regarding was a matter to which no one to my right
22 was a party. It was a civil contempt matter, and the
23 parties towards that civil contempt, the State which moved
24 the Court to compel someone to do a thing, the Court
25 compelled. And the State said: Your Honor, we're asking

1 if the Court -- if they don't comply, that the Court hold
2 that person in contempt. That was a civil contempt matter.

3 Nothing substantive was discussed. Everything was
4 recorded. And the representations made at least by persons
5 who were present to the State is that when questioned or
6 queried about it is that that person was told or asked
7 whether things occurred, and that that person relayed that
8 no substantive communication took place during that
9 meeting. So that is the second matter.

10 And first and foremost, we just ask that the Court
11 again allow both counsels for Mr. Williams to be present
12 when Court is in session so that we don't delay these
13 proceedings further.

14 THE COURT: All right. That's fair enough.

15 MS. LOVE: Thank you.

16 MR. SCHARDT: Your Honor, the --

17 THE COURT: Mr. Schardt?

18 MR. SCHARDT: -- the ability for the State to paint
19 themselves as the victim constantly in this matter is
20 unbelievable. We --

21 THE COURT REPORTER: Can you turn on your microphone?

22 THE COURT: Sir, we can't hear you.

23 MR. SCHARDT: My client Shannon Stillwell and these
24 other young men sitting here as defendants are the
25 aggrieved parties. We were not present.

1 I would like to reiterate --

2 THE COURT: But here is the --

3 MR. SCHARDT: Your Honor, can I just --

4 THE COURT: Mr. Schardt, Mr. Schardt, here is the
5 challenge. You got the information in a way that was not
6 lawful to begin with. Sir, that doesn't alleviate the
7 information or make it less valid or invalid so -- because
8 we record these conversations so that they can be reviewed
9 later. We didn't have any conversations that were not
10 recorded. And if you heard of other conversations that
11 were made, I don't know how you would have gotten them
12 otherwise because somebody had to tell you.

13 MR. SCHARDT: Okay. Well, all that's great but --

14 THE COURT: Like I said --

15 MR. SCHARDT: -- this is what --

16 THE COURT: -- if and when the case gets reviewed, an
17 appellant court will make those decisions. But at this
18 point --

19 MR. SCHARDT: My client is the aggrieved party. He
20 was not present. That violated his Sixth Amendment right
21 to be present.

22 THE COURT: Okay, and that is your argument. Sir,
23 that is your argument. That is your argument.

24 MR. SCHARDT: One other thing, your Honor.

25 THE COURT: That's your argument.

1 MR. SCHARDT: All I'm asking for is some sunlight,
2 sunlight to come over these proceedings.

3 THE COURT: Sir, this is not an open meeting. This
4 is not a sunlight situation.

5 MR. SCHARDT: Release the transcript and then we can
6 see because we do not accept Ms. Love's representation.

7 THE COURT: Okay. You don't accept the Court's
8 representation? I'm telling you --

9 MR. SCHARDT: I would like the transcript.

10 THE COURT: I'm telling you at this point in time,
11 when the case is reviewed on appeal, if I am wrong then
12 certainly the appellate court can tell me and certainly
13 there are other bodies in Georgia that certainly my conduct
14 can be reviewed by.

15 But at this point, I'm telling you that that's the
16 sum and substance of it.

17 MR. SCHARDT: We are trying this case right now to
18 win this case. We are not playing for an appeal. We would
19 like a fair shot at this case right now. We would like the
20 transcripts. We all know that the appellate process in
21 this case is probably going to take decades.

22 THE COURT: Okay. Well, at this point --

23 MR. SCHARDT: So that is --

24 THE COURT: -- like I said, I need to have a little
25 bit more information in order for me to kind of make some

1 other decisions in this case.

2 I'm not saying that you may or may not get that
3 information, but at this point there was nothing that was
4 improper about the ex parte conversation. The Court is
5 more concerned about the disclosure and --

6 MR. SCHARDT: I understand the Court's concern, but
7 as the counsel for Mr. Stillwell, my concern is the meeting
8 that he was not allowed to be present for.

9 THE COURT: Okay. All right. Thank you, sir.

10 MR. MATTHEWS, SR.: Your Honor?

11 THE COURT: Are you going to repeat the same thing
12 again?

13 MR. MATTHEWS, SR.: I'll try not to.

14 THE COURT: Let's try not to because the Harvey rule
15 is in effect. I understand everyone's opinion at this
16 point in time.

17 MR. MATTHEWS, SR.: Judge, the only thing I want to
18 say and to not be repetitive, but on Friday, your Honor,
19 this particular witness, he came in. He pled the Fifth.
20 His lawyer was present. His lawyer stated to your Honor
21 that he had spoken to his witness, his client, and he
22 stated that the witness indicated that on Monday he will
23 also be saying that he will plead the Fifth.

24 And then, your Honor, there was a two, three-hour
25 span this morning, and then he comes in and says, "I'm

1 going to testify." That is why I believe on behalf of
2 Mr. Huey that the transcript is important.

3 THE COURT: Thank you, sir.

4 All right, let's get Mr. Steel out, please. You can
5 tell him to put his tie back on.

6 We're going to be in recess about ten minutes, and
7 then we'll go ahead and get started at that point in time.

8 (The proceedings stood in recess.)

9 THE COURT: Counsels, if you could collect your
10 thoughts and take your seats.

11 Mr. Steel, in the interest of your representation,
12 continued representation of Mr. Williams, it has been
13 brought to the Court's suggestion that you be here until --
14 at all open sessions of court until we finish for the day.

15 So I'm still going to hold you in contempt. You can
16 purge that contempt by just telling me who it is that told
17 you this information. That is all I need to know. But at
18 the end of today, I'll ask you that question again today.

19 We did not take up any business in your absence other
20 than Mr. Adams eloquently saying he was not going to go
21 forward without having you present with him so -- and not
22 going to divulge who the information came from either.

23 So with that, sir, we're going to go ahead and
24 continue. All right.

25 MR. STEEL: Can I ask a question?

1 THE COURT: Yes, sir.

2 MR. STEEL: Did the Court order the transcript so we
3 can see it and have a hearing with all witnesses?

4 THE COURT: No. I'm not going to order the
5 transcript as of yet because if the case should be
6 reviewed, the appellant court will have that particular
7 ability to do that. I don't believe at this point in time
8 it is the Court's understanding of the ex parte
9 conversation that the disclosure is the more troublesome
10 remedy.

11 If I did something wrong, then certainly that can be
12 reviewed. But I'm not at this point in time going to
13 release any of the transcript in terms of what may be
14 disclosed or that was said in chambers ex parte at this
15 point.

16 MR. STEEL: Well, I was told based upon information
17 and belief that it would affect this witness's testimony in
18 front of the jury because I was told based upon information
19 and belief that depending upon how the day goes, he may go
20 home or not depending upon his testimony. And I would like
21 to know what that is about.

22 THE COURT: I don't know, Mr. Steel. I don't. I
23 don't know. That is why I would like to know who it is
24 that told you or disclosed this information from chambers
25 because I don't know if this person even had -- if that

1 conversation was even had within my presence or hearing. I
2 don't.

3 MR. STEEL: So I would like to have a hearing with
4 the Court as a witness, with the DAs as a witness, with the
5 deputies as a witness, with Mr. Copeland as a witness, with
6 his counsel as a witness, with the court reporter
7 transcript. And, Judge, I'm not trying to be harmful.
8 I'm --

9 THE COURT: Mr. Steel, I think that you have -- you
10 are running a very thin professional responsibility line.
11 I don't think that you have cover at this point in time. I
12 think that you have blown your coverage at this point
13 because I do think that somebody told you some things that
14 were -- that violate privilege.

15 MR. STEEL: What privilege?

16 THE COURT: Attorney-client privilege so --

17 MR. STEEL: How do you get --

18 THE COURT: -- I mean, but that is beside the point
19 at this point in time. We're not going to argue about that
20 right now. I just need -- the way you purge your contempt
21 is that you just tell me who told you this. That is -- I'm
22 not asking you what was said. I just -- but you are
23 indicating what was said.

24 MR. STEEL: Yes.

25 THE COURT: But I want to know who told it to you.

1 MR. STEEL: And I'm making it based upon information
2 and belief.

3 THE COURT: But I need to know who it is because that
4 is critical for the Court taking remedial steps at this
5 point in time.

6 MR. STEEL: You are holding me in contempt --

7 THE COURT: No, no, no -- yeah, I'm holding you in
8 contempt because you won't tell me who.

9 MR. STEEL: How could something -- I'm not trying to
10 be obstructive, but how could something be attorney-client
11 privilege if it happened before the Court, the DAs --

12 THE COURT: Well, because if someone is a represented
13 party and they disclose information to you-all as parties
14 in this case, that could be a problem. That could be a
15 problem.

16 MR. STEEL: I don't --

17 THE COURT: Like I said, I don't know what was said
18 to you. I don't so --

19 MR. STEEL: You do know. I'm trying to get out
20 what --

21 THE COURT: Well, that's improper at this point in
22 time.

23 MR. STEEL: Why?

24 THE COURT: Because you are telling the Court
25 conversations that you are privy to in my chambers that I

1 know you weren't present.

2 MR. STEEL: But the Court was present. That's what
3 I'm trying to say.

4 THE COURT: That doesn't make a difference. But you
5 got information you shouldn't have had. And then you turn
6 around and say, well, I did something -- the Court did
7 something wrong and that we should be entitled to have the
8 transcript. You-all have contorted and perverted that
9 particular process. You really have.

10 MR. STEEL: What I said was it is a material part of
11 the trial.

12 THE COURT: It's not --

13 MR. STEEL: -- that Mr. Williams had the right to be
14 at and I'd like to exercise --

15 THE COURT: It would be just like if you-all in the
16 past have had ex parte conversations with the Court -- and
17 I won't say about for what -- you and Mr. Adams and others.
18 That is your right, and that little conclave of discussion
19 with the Court protects you and protects the system. It is
20 recorded and taken down so if it needs to be reviewed
21 later, it gets reviewed.

22 But you have been -- you have -- you have made
23 something out of it that -- where I'm kind of at a
24 disadvantage at this point in time because I didn't invite
25 you into that particular proceeding and I don't think that

1 you had the right to be there.

2 MR. STEEL: Well, all I know is what I told you and
3 there's more.

4 THE COURT: Oh, okay. Well --

5 MR. STEEL: There is a witness testifying who met
6 with the Court and DAs. That doesn't concern us?

7 MS. LOVE: Your Honor, may --

8 MR. STEEL: Meaning the defense?

9 THE COURT: I think that for an ex parte conversation
10 in terms of what was said -- I'm not going to keep
11 continuing to discuss this because the transcript is what
12 the transcript is, and it will say what it reflects. It
13 really will, and the Court will stand by that.

14 But the other conversations that you may have -- may
15 be privy to or may have been disclosed to you, they are
16 troubling. They are. That is why I've got to find out who
17 it is that disclosed that information.

18 So you have the keys to your own contempt. I don't
19 want to hold you in contempt, sir. I don't. I'm not
20 asking you to tell me what was said between the two of you.
21 But I do need to know who you had -- who told you.

22 So if you are willing to tell me, that's fine. That
23 will purge your contempt. If you don't want to, then I'll
24 unfortunately have to look at -- waiting to get that
25 information. So you can let me know.

1 MR. STEEL: Did the Court put this in an order?

2 THE COURT: In terms of what, sir?

3 MR. STEEL: My supposed contempt?

4 MS. LOVE: Your Honor --

5 THE COURT: It is criminal contempt. It is sua
6 sponte criminal contempt, sir. You don't get to appeal
7 from this. You will go into custody at 5:00 today or
8 whenever we finish if you don't tell me what that is --
9 tell me who that is. This is criminal contempt.

10 I have asked you a question related to these
11 particular proceedings. And if you don't tell me, then you
12 will suffer the consequences of that unfortunately. Like I
13 said, I'm not looking to hold you in contempt. I really
14 am -- I'm not, but this is that important.

15 MR. STEEL: It is important.

16 THE COURT: Okay. So you have to think about it.

17 All right --

18 MR. STEEL: Can I just -- last thing. Going forward
19 is over objection because I believe that we're entitled to
20 the information especially with this witness.

21 THE COURT: All right, sir. I'll note your objection
22 and it will be a continuing objection for the time being.
23 And I may make some other remedies depending upon what
24 information I find later.

25 MR. SCHARDT: On behalf of Mr. Stillwell, I'm going

1 to renew our *Brady* demand for any *Brady* material that came
2 out from any conversations with Mr. Copeland between
3 Mr. Copeland and the district attorney's office this
4 morning.

5 THE COURT: All right. Summon our jurors, please.

6 (Testimony of Mr. Copeland continued at 3:39 p.m.)

7 (Mr. Copeland and the jury were released at 5:58
8 p.m.)

9 THE COURT: Okay. Mr. Steel, are you willing to tell
10 me at this point in time who it is that disclosed this
11 information to you?

12 (Brief pause.)

13 MR. STEEL: Unbeknownst to me, GACDL is here. They
14 are not being allowed into your courtroom. I presume they
15 are outside. So I'll wait on them to come in.

16 THE COURT: What does -- I'm asking you, sir, because
17 the contempt is for you. It's not to the Georgia
18 Association of Criminal Defense Lawyers.

19 MR. STEEL: Well, I didn't call them but --

20 THE COURT: I mean, that's --

21 MR. STEEL: Let me just finish.

22 THE COURT: Okay.

23 MR. STEEL: Because you said to me that you figured
24 out somebody told me this information and you somehow said
25 that it's privileged, which I can't imagine, or I

1 eavesdropped.

2 So to me eavesdropping is a Title 16 crime, so they
3 brought down lawyers.

4 THE COURT REPORTER: Can you turn on your microphone.

5 MR. STEEL: They brought down lawyers. The lawyers
6 are not allowed into your courtroom.

7 THE COURT: No. We just --

8 MR. STEEL: Or they are not in your courtroom.

9 THE COURT: We just don't have -- we just don't have
10 any space, Mr. Steel. And, plus, they are welcome to go to
11 8-H. I mean, I told Sergeant Ingram that we can let in as
12 many as we possibly can that will fill up our benches at
13 this point in time that won't violate our security
14 protocols but that 8-H is available and --

15 MR. STEEL: 8-H then has to have a right to counsel
16 because they are here and I'm not going to --

17 THE COURT: Do you have an attorney that is here for
18 you, sir?

19 MR. STEEL: Sure. Ashleigh Merchant is here. She's
20 the president of --

21 THE COURT: Okay. All right. We'll let Ms. Merchant
22 in.

23 MR. STEEL: -- criminal defense lawyers.

24 (Ashleigh Merchant entered the courtroom at
25 6:01 p.m.)

1 THE COURT: Ms. Merchant, good to see you as usual.

2 MS. MERCHANT: Good to see you, Judge.

3 THE COURT: I have told your client -- you represent
4 Mr. Steel, is that correct --

5 MS. MERCHANT: Yes, that's correct.

6 THE COURT: -- for purposes of the contempt? I
7 entered the contempt already. I'm entering an order. I'm
8 about to enter the order. I've held him in contempt
9 earlier from today's proceeding by him not telling me who
10 it is he got this information from.

11 I'm not asking him for any of the sum and substance
12 of the communication. He has been disclosing that,
13 however, and that is why I kind of want to know who told
14 him that.

15 So if he tells me who it is that disclosed that to
16 him, he has -- he will be able to purge himself of that
17 contempt and he's done. That's the only thing I'm asking
18 for at this point in time.

19 If not, then as you well know as a criminal contempt
20 there is no supersedeas bond. There's no appeal. And I'm
21 going to put him in custody for this evening. And if he
22 wishes to -- which he can still purge if tonight Keith
23 Adams emails me or you email me and tell me, "Well, it was
24 X."

25 So he can -- I'm going to give him as much

1 flexibility to purge himself of this contempt. Only thing
2 I want is because of the way this information was
3 disclosed, it is troubling to the Court and it's very --
4 since it was an ex parte communication.

5 I won't get into the merits of everything else that
6 Mr. Steel has proffered and everything else, but that is
7 the only thing I'm trying to do at this point in time. So
8 I asked your client for the last time if he would tell me
9 who it is that disclosed that information.

10 MS. MERCHANT: Judge --

11 THE COURT REPORTER: Can you come up to the
12 microphone?

13 MS. MERCHANT: Judge, just for the record, so is the
14 criminal contempt -- is it criminal contempt you held him
15 in?

16 THE COURT: Yes, ma'am.

17 MS. MERCHANT: Okay. And you said you had a hearing
18 earlier today?

19 THE COURT: No. With criminal contempt I told him
20 what the contempt was and that was he refused to tell me --
21 order of the Court. Counsel, as you know, if the Court
22 orders you to do something and you don't, that is criminal
23 contempt.

24 So I have asked him several times, "Please just tell
25 me who it is that told you." I didn't ask or inquire about

1 anything that was said. I just want to know who it was
2 because he's got too much detail of this particular alleged
3 conversation for the Court to be concerned about it.

4 MS. MERCHANT: Judge, since it is a criminal
5 contempt, he is entitled to due process. He's entitled to
6 a hearing, entitled to an actual show cause, entitled to
7 the allegations actually written, entitled to a witness
8 list. We're entitled to present our own witness list
9 and notice of that --

10 THE COURT: Criminal contempt is different. It is on
11 the spot. So he's gotten the due process he's going to
12 get. That's on the spot. I told him. Plus he's had all
13 day to tell me who it is that is -- so little different,
14 Ms. Merchant. I'm going to disagree with you.

15 MS. MERCHANT: And, Judge, just for the record
16 it's -- that is direct, so what you are holding him in is
17 in direct criminal contempt.

18 THE COURT: Yes.

19 MS. MERCHANT: The issue with the direct criminal
20 contempt is whether or not to actually hold a hearing now,
21 whether or not it needs to be held immediately. And the
22 problem is if you hold him in direct criminal attempt as
23 you are saying you did, you are a witness to that
24 proceeding. So it has to be referred to another judge. It
25 doesn't require recusal. You actually have to sua sponte

1 send it to another judge because you are a witness in the
2 proceeding.

3 THE COURT: Show me the case law that says that,
4 Ms. Merchant.

5 MS. MERCHANT: Yes. It is *In re McLarty*. It's 152
6 Ga. App. 399, and it says -- that is one of the cases.
7 Also two other cases, *In re Adams*, 215 Ga. App. 372.

8 THE COURT: Hold on one second. Give me the name of
9 the first case again? In re what?

10 MS. MERCHANT: Do you want just the number, Judge?

11 THE COURT: Yes, I would. Thank you.

12 MS. MERCHANT: 215 Ga. App. 372.

13 THE COURT: Okay.

14 MS. MERCHANT: Also 215 Ga. App. 349. That is *Adams*
15 and *Hasty*.

16 THE COURT: Let me take a look at those.

17 (Brief pause.)

18 THE COURT: Do you have anything a little bit more
19 current than 1994?

20 MS. MERCHANT: *Hasty* is '94. Unfortunately, contempt
21 of attorneys is not a common proceeding, so most of the
22 cases are a little bit older. But I do have other cases.

23 (Brief pause.)

24 MS. MERCHANT: And, Judge, I'm not the only one here.
25 There's quite a few other lawyers that want to be present

1 in the court. There's about 20 or 25.

2 THE COURT: The challenge is I have space allocations
3 as I told you. You can -- like I said, since you are
4 representing him, that is fine. He told us -- Mr. Steel
5 told us that. Anybody else, because I have security
6 concerns as well and we have to vet people to come in, then
7 they can go to 8-H and they can certainly watch the
8 proceedings from there.

9 MS. MERCHANT: Okay. And, Judge, for security
10 purposes they are all attorneys. They are all members of
11 the bar. I can give you all their names.

12 THE COURT: They still would have to be searched and
13 still would have to be subject to the Court's protocols.

14 MS. MERCHANT: And also there's room in the jury box
15 and then there's room in the courtroom so we would ask that
16 they be --

17 THE COURT: I don't want anybody in my jury box,
18 okay? No.

19 MS. MERCHANT: I understand.

20 (Brief pause.)

21 MS. MERCHANT: May one additional attorney come in
22 then, Alex Susor? And we're here on behalf of GACDL for
23 our strike force. He is the chair of the strike force.
24 I'm the president of the Georgia Association of Criminal
25 Defense Lawyers and also a member of the strike force. So

1 can he come in as another attorney/co-counsel?

2 THE COURT: Yeah, certainly may, sure.

3 MS. MERCHANT: Great. Thank you, Judge.

4 THE COURT: *In re Adams*, it has two issues. One is
5 the motion for disqualification, okay, and that's -- I
6 think the judge went ahead and did some other things that
7 caused that -- caused there to be that issue presented. So
8 I don't believe *Adams* -- I'm going to take a look at the
9 other case. That was *In re Adams*, 215 Ga. 372.

10 MS. MERCHANT: Yes.

11 THE COURT: I'm going to look at the other case in
12 just a second.

13 MS. MERCHANT: And there are several others when you
14 are ready.

15 (Brief pause.)

16 THE COURT: *In re Hasty*, *Hasty's* conduct didn't rise
17 to a level to necessitate or warrant summary contempt by
18 the Court. That is the difference with *Hasty* than in this
19 particular case.

20 So I distinguish your two cases that you have given
21 me thus far.

22 MS. MERCHANT: Those were only the initial two. I
23 had a couple others as well.

24 THE COURT: Go ahead.

25 MS. MERCHANT: Yes. So *Ramirez v. State*. It's 279

1 Ga. 13, 2005. It also --

2 THE COURT: You said 279 Ga. what? I'm sorry.

3 MS. MERCHANT: Ga. 13, a 2005 case. And it defines
4 direct contempt and explains that it must actually
5 interfere with the proceedings to be direct, which there is
6 also a couple other cases on that.

7 THE COURT: See but you-all are covering under -- let
8 me see.

9 MS. MERCHANT: I'm sorry, Judge?

10 THE COURT: Hold on just a second.

11 (Brief pause.)

12 THE COURT: Ms. Merchant, in *Ramirez* it even says if
13 the contempt is direct, the trial court has the power,
14 after affording the contemnor the opportunity to speak in
15 his or her own behalf, to announce punishment summarily and
16 without further notice or hearing.

17 I already did that with Mr. Steel. He already told
18 me -- I already gave him the opportunity to do that, so we
19 had that conversation this morning already. So --

20 MS. MERCHANT: And, Judge, so there's a couple
21 different issues.

22 First, the question is whether or not you need to
23 have that hearing now. I know you are saying you had the
24 hearing earlier, but regardless he was entitled to have an
25 attorney at that point and he didn't have one. So the

1 question is initially whether or not you even need to hear
2 this now.

3 And some of the cases I cited along with some others
4 say that a summary proceeding is not necessary in a case
5 like this.

6 And the best evidence of that is the trial has
7 continued. It has not stopped this trial. So for you to
8 hold a summary hearing of direct contempt, the Court has to
9 be able to state how this interferes with your ability to
10 administer justice in this case.

11 THE COURT: Oh, I can tell you, because it is a
12 violation of the sacrosanct nature of the Court's ability
13 to hold ex parte conversations without those being
14 broadcast to other people. And as to how -- as to how that
15 information was disclosed, that is a problem. That is a
16 real problem. That is why it is of such, you know, such an
17 issue for the Court at this point in time.

18 MS. MERCHANT: Judge, you know, Mr. Steel has a right
19 to make a motion like this. If there were ex parte --

20 THE COURT: He does, he does, he does. I'm not
21 saying anything. But, you know, he's kind of put himself
22 in a particular position he's in.

23 MS. MERCHANT: No, Judge, I don't agree. I believe
24 that --

25 THE COURT: I'm going to disagree with you.

1 MS. MERCHANT: I believe that the Court has put him
2 in that position.

3 THE COURT: No.

4 MS. MERCHANT: He cannot be held, and the law states,
5 *McLarty*, which I cited to you earlier --

6 THE COURT: It is true that direct summary contempt
7 which arises in the presence of the court and tends to
8 scandalize it and/or hinder, obstruct the orderly process
9 of the administration of justice, the preservation of order
10 and decorum in the court is exempt from due process
11 requirements of notice and hearing. And that's even in
12 *Moody*. It goes back to 1974.

13 So I believe that Mr. Steel's -- he can file whatever
14 motions, but his particular actions in this case -- I just
15 want to know who told him this. That's all. I'm not
16 asking him to release or otherwise tell any conversations,
17 but I just want him to tell me that.

18 MS. MERCHANT: And, Judge, so that is what you want,
19 but that does not conflate to a contempt. Your desire for
20 him to answer your question does not mean that you have the
21 power to hold him in contempt.

22 THE COURT: So you can come into court, Ms. Merchant,
23 and not answer a question of the Court and not be held in
24 contempt?

25 MS. MERCHANT: If it's a question that the Court is

1 not permitted to ask, yes.

2 THE COURT: Okay. Well, this is a question the Court
3 is permitted to ask.

4 MS. MERCHANT: And it's our position if we had a
5 hearing we could explain to the Court why he is not
6 required.

7 First of all, the Court accused him of eavesdropping.
8 That is a crime. He has a Fifth Amendment privilege
9 against answering those questions.

10 Rule 1.6 protects all confidential information that
11 is gained not from your client but in representation of
12 your client. He has the ability to protect that
13 information.

14 But we don't even need to get there because he can't
15 be held in contempt and you can't threaten him with
16 contempt for presenting a motion in good faith. He
17 presented a motion in good faith that he believed there
18 were ex parte communications.

19 You were a witness to that because it's my
20 understanding that you were part of those ex parte
21 communications. They can't be ex parte if you weren't part
22 of them by nature. You have to be involved. Therefore,
23 you have to be a witness. So you are a witness. You
24 cannot also summarily --

25 THE COURT: But you got the information -- here is

1 the thing. You got the information allegedly from an
2 improper methodology. I'm not saying he eavesdropped. I
3 said that one of the things is -- one of the things is --
4 it's either one of two ways. He either eavesdropped, which
5 I don't believe that he did at all. I don't believe that
6 for a minute.

7 But I do believe that somebody did tell him what was
8 the sum and substance of the Court's conversations, and
9 that would not be permissible.

10 MS. MERCHANT: Judge, let's just back up for a
11 second. He makes a motion because he has reason to believe
12 there were ex parte communications made. The Court has a
13 duty if there are ex parte communications made to alert
14 counsel. He shouldn't have had to learn it from wherever
15 he learned it.

16 THE COURT: I think that he caused that particular
17 circumstance. I think that he had a conversation with
18 somebody and he got some information that he shouldn't have
19 had to begin with.

20 So, Ms. Merchant, I'm of the opinion -- I'm going to
21 stand on my ruling at this point in time. I'm going to
22 hold him in contempt.

23 So at this point in time is there anything else you
24 want to tell me?

25 MS. MERCHANT: Yes, Judge. There's quite a few other

1 things.

2 So first of all, we would ask for you to be recused
3 from this case because you are a witness necessarily. It
4 cannot be an ex parte proceeding without you being a
5 witness to this. So you are a witness to this proceeding.
6 Therefore -- to the contempt, to the contempt. You are a
7 witness to the contempt.

8 So you have now -- and if it's criminal, which is
9 what you are saying it is, Mr. Steel is entitled to all the
10 same due process rights that Mr. Williams and every other
11 defendant in this courtroom is entitled to. He's entitled
12 to those.

13 One of those is to have a fair and neutral judge
14 decide his case. One of those is to have a judge who is
15 not also a witness in the proceeding deciding whether or
16 not he's in contempt. This needs to be heard by a
17 different judge.

18 And he has the right to subpoena witnesses, he has
19 the right to an attorney, he has the right to due process,
20 notice, a show cause hearing, notice of the alleged
21 violation, whatever rule it is that the Court believes, and
22 a hearing where he can call you as a witness. You can
23 testify. You are necessarily a witness. You can't -- for
24 it to be ex parte, you have to be a witness. It can't be
25 both ways.

1 THE COURT: I'll let an appellate court decide that.
2 So anything else?

3 MS. MERCHANT: No. We'll file a notice of appeal,
4 and we need to have the order reduced in writing.

5 THE COURT: I'm going to do that right now. I will
6 state for the record at this point in time that Mr. Steel
7 has in fact filed, and I will note this as part of the
8 record in this case, he has filed a motion to set aside the
9 contempt, he's filed a motion for a supersedeas bond, and
10 he's filed a notice of appeal, all of which I will include
11 as the next Court's exhibit in order.

12 But I'm reducing the contempt to writing, and I
13 mentioned earlier he can purge himself of the contempt just
14 by telling me who it was, and he can do that this evening
15 or he can do it right now. He can do it at any point in
16 time. If not, I'll revisit the circumstance on Friday.

17 MS. MERCHANT: And, Judge, we would ask that you
18 grant the bond at this point, grant him a bond on that
19 issue.

20 THE COURT: You don't get a supersedeas bond on a
21 criminal contempt though.

22 MS. MERCHANT: You can grant him a bond.

23 THE COURT: No, you don't get one on that one.

24 MS. MERCHANT: The civil is the one that you can hold
25 him until he complies with the order.

1 THE COURT: I'm sorry. I think in --

2 MR. SUSOR: The case law on that is *In re Hughes*.

3 THE COURT: Hold on, hold on, hold on.

4 (Brief pause.)

5 THE COURT: The supersedeas bond requirement does not
6 apply in a contempt in the presence of the court during the
7 progress of a proceeding. O.C.G.A. 5-6-13 Bravo. So you
8 don't get a supersedeas on a criminal contempt,
9 respectfully.

10 MR. SUSOR: So, Judge, to clarify, it's your ruling
11 that this is a criminal contempt that Mr. Steel has
12 committed, not a civil indirect contempt?

13 THE COURT: That's correct.

14 MR. SUSOR: Judge, the reason I'm asking is because
15 the *In re Hughes* case, which is a 2009 Court of Appeals
16 case, 268 Ga. App. 66 [sic] lays out the distinction as
17 does the *Ramirez* case.

18 THE COURT: There is new -- there is a brand --
19 there's a case that in fact is -- I'll do you one better,
20 sir. In fact, there is a recent pronouncement out of our
21 appellate courts.

22 MR. SUSOR: Which I'm addressing a slightly different
23 point of law than that.

24 THE COURT: Hold on, sir, one second.

25 (Brief pause.)

1 THE COURT: I'll give you two cases. One is *Yntema*,
2 Y-n-t-e-m-a v. *Smith*, and that's 371 Ga. App. 19, which was
3 decided March 12th of this year that covers the differences
4 between the types of contempt.

5 And there is other case I invite your attention to,
6 and that is *In re Syvertson*, S-y-v-e-r-t-s-o-n, and that is
7 368 Ga. App. 865. And that was decided July 31st of last
8 year.

9 MS. MERCHANT: And, Judge, I would just like to point
10 two things out. The statute you were reciting about the
11 supersedeas, it only says it's not mandatory. You still
12 have the discretion to grant him a supersedeas bond. The
13 other --

14 THE COURT: I'm not going to grant a supersedeas
15 bond.

16 MS. MERCHANT: So you definitely have the discretion
17 to grant him a supersedeas bond.

18 The other issue is if it is a criminal contempt and
19 you are finding him guilty of criminal contempt, then we
20 have to have a sentence imposed.

21 Now, civil is where you get to hold him until he
22 complies.

23 THE COURT: No.

24 MS. MERCHANT: Criminal is where you get to impose a
25 sentence. Maximum of 20 days and a \$1,000 fine.

1 So if you are going to incarcerate him under criminal
2 attempt, he's got to be sentenced.

3 THE COURT: Well, his contempt is as long as he --
4 when he tells me what the basis of the conversation was --
5 who, I didn't ask him what -- but he tells me that, then he
6 purges himself of the contempt.

7 MS. MERCHANT: Then that's civil.

8 MR. SUSOR: That's civil contempt, Judge --

9 MS. MERCHANT: That's civil.

10 MR. SUSOR: -- and respectfully I would point you to
11 *In re Hughes*, which stands for the same point of law.
12 Civil contempts impose punishment as a means of coercing
13 future compliance --

14 MS. MERCHANT: Yes.

15 MR. SUSOR: -- with a prior order of the Court.

16 Here, the prior order of the Court presumably is that
17 you have directed Mr. Steel to answer the question, to
18 disclose the information as to who is his source for
19 knowledge of this ex parte meeting that occurred earlier
20 today.

21 Criminal contempt imposes unconditional punishment to
22 punish the act which has occurred in the past and cannot be
23 purged. It is not capable of being purged, in which case
24 what Ms. Merchant said applies, which is that there is a
25 20-day maximum sentence and a \$1,000 fine.

1 It is for all intents and purposes a misdemeanor
2 offense, Judge, which is why the enhanced due process
3 protections apply to that.

4 Now, Mr. Steel has indicated to us he does not
5 believe he can answer the question without violating his
6 duty of loyalty and duty of confidentiality to his client.
7 So he is being placed in a position where he is either
8 going to jail or he's going to commit an offense that will
9 put his license to practice law at risk. And that is an
10 untenable position to be in.

11 And Mr. Steel is a zealous advocate for his client,
12 and he is simply trying to protect that duty of loyalty and
13 duty of confidentiality because if he answers your
14 question, it is very reasonable to assume and likely that
15 he will be facing a bar complaint that could result in a
16 suspension or the loss of his license.

17 So he is in a very, very difficult position where if
18 we were able to have a full contested hearing with the
19 benefit of witnesses and an impartial judge where you are a
20 witness, then everybody could present their side of the
21 story and --

22 THE COURT: I'm not doing that, reason being is
23 because that takes away the whole point of criminal
24 contempt. And that is you do something -- the Court tells
25 you to do something, order of the Court, and you don't

1 follow it.

2 I didn't ask him to do anything illegal, immoral, or
3 unethical. I just asked him to tell me -- I know what
4 the --

5 MR. SUSOR: Which is really kind of backwards.

6 THE COURT: -- what the privilege is. The privilege
7 is the conversation. I didn't ask him about that. I
8 wanted to ask him about who, the person, because that --

9 MR. SUSOR: Mr. Steel has indicated to us that he
10 does not believe he can answer that question without also
11 violating the privilege.

12 THE COURT: Okay.

13 MS. MERCHANT: And, Judge, that's why we're trying to
14 figure out if it's criminal versus civil. So the issue is
15 you are picking and choosing. You are saying: Well, you
16 get the bad side of criminal and no bond, but I really am
17 actually trying to punish you civilly, which is when you
18 hold someone until they comply.

19 THE COURT: Okay. Let me think about this a second,
20 okay. I'm going to take five minutes and I'm going to
21 think about it.

22 MR. SUSOR: Thank you, Judge.

23 MS. MERCHANT: Thank you.

24 THE COURT: Okay. All right. We'll be in recess
25 about five minutes.

1 (The proceedings stood in recess.)

2 THE COURT: Sergeant Brown, is everybody present?

3 MR. BROWN: All parties are present.

4 THE COURT: Thank you for your patience, counsels.

5 The Court's had an opportunity to reflect and --
6 Mr. Steel, if I could ask you to take the podium, please,
7 as well and stand next to your attorneys.

8 (Brief pause.)

9 THE COURT: Okay. Ms. Merchant, Mr. Steel, and I
10 apologize --

11 MR. SUSOR: Mr. Susor, Judge.

12 THE COURT: One more time.

13 MR. SUSOR: Susor.

14 THE COURT: Spell your last name for us.

15 MR. SUSOR: S-u-s-o-r.

16 Sierra-Uniform-Sierra-Oscar-Romeo.

17 THE COURT: You're a good man, good man. All right.
18 Thank you, sir. Mr. Susor as well.

19 Counsels, I've made a clarification to the order of
20 contempt.

21 Mr. Steel, I am going to hold you under -- still hold
22 you in summary criminal contempt pursuant to O.C.G.A.
23 15-1-3(3) for your failure to comply with my earlier order
24 today.

25 I'm going to order that you be taken into custody,

1 incarcerated at the Fulton County Jail for no more than
2 20 days for this contempt, those 20 days consisting of
3 every weekend for the next ten weekends. And you will be
4 reporting to 901 Rice Street, Northwest, Atlanta, Georgia
5 30318 at 7:00 p.m. on Fridays and you will be released
6 7:00 p.m. on Sundays. And it is to commence this Friday,
7 June 14th at 7:00 p.m. and not to end until Sunday,
8 August 18th, 2024, at 7:00 p.m. subject to further order of
9 this Court.

10 And that will be entered and e-filed, and you may
11 take whatever steps you and your counsel deem appropriate
12 after that. Okay?

13 MR. STEEL: Can I ask a question?

14 THE COURT: Sure.

15 MR. STEEL: I'm going to file a notice of appeal, but
16 for whatever reason that doesn't take and you don't give a
17 bond, then I ask that I can be with Mr. Williams and we
18 work on our case all weekend for all those weekends.
19 Otherwise, I can't prepare. I speak with Mr. Williams all
20 the time.

21 THE COURT: That's up to -- sir, if that comes to
22 pass, you have my support. I will talk with our sheriff,
23 and we may be able to make that work, okay, if that should
24 occur.

25 Okay. All right. Counsels, I'm done with this

1 unless you have anything else. All right, thank you,
2 Ms. Merchant and Mr. Susor.

3 MS. MERCHANT: Thank you.

4 MR. SUSOR: Thank you, Judge.

5 THE COURT: All right.

6 MS. MERCHANT: May we get a copy of that order?

7 THE COURT: Yes. In fact, the clerk is going to
8 file -- it's going to be e-filed. It will be on the e-file
9 system momentarily. You should be able to get a copy of it
10 from there, directly download it from there.

11 MR. SUSOR: And, Judge, Ms. Merchant and I will file
12 entries of appearance on behalf of Mr. Steel as well.

13 THE COURT: Sure. That would be great. Thank you so
14 much.

15 All right. State, is there anything else that we
16 need to, or any defendants, anything else we need to take
17 up before tomorrow morning?

18 Mr. Copeland is going to rejoin us tomorrow morning
19 so we'll continue with his testimony.

20 Where is Ms. Bumpus?

21 MR. SCHARDT: Your Honor, I have a matter.

22 THE COURT: One second. Where is Ms. Bumpus? She
23 hasn't been released yet.

24 MS. LOVE: I am not certain. Ms. Hylton is
25 attempting to determine her whereabouts.

1 THE COURT: If you could call her, Ms. Hylton. Thank
2 you.

3 All right. Mr. Schardt, sir?

4 MR. SCHARDT: Your Honor, I have to prepare for my
5 cross-examination of Kenneth Copeland over the next few
6 evenings, and I would ask once again for the Court to
7 release the transcript of what occurred earlier today so
8 that I may prepare my cross-examination.

9 THE COURT: I'm not going to do that, sir, not at
10 this point in time, respectfully. Okay.

11 MR. SCHARDT: Well, your Honor, respectfully, and if
12 it's not released by the time that we cross-examine
13 Mr. Copeland, our defense will be hindered.

14 THE COURT: Sir, that will be an issue you can
15 certainly raise then and now, but I'll think about it. But
16 at this point, I'm not inclined to release the transcript
17 of the Court's ex parte hearing because of the way it was
18 disseminated. That is why I'm not inclined to do it.

19 MR. SCHARDT: And I would also -- I understand the
20 Court's ruling. I would also ask for the release of any
21 audiotapes regarding that hearing as well.

22 THE COURT: Well, the only audiotape I know of is
23 maintained by Ms. Weaver who tapes her proceedings in order
24 to prepare her transcript.

25 THE COURT REPORTER: I don't always record them.

1 THE COURT: I don't know. She may not have any but
2 we'll see.

3 MR. MATTHEWS, SR.: Your Honor, good evening.
4 Careton Matthews on behalf of Mr. Huey. We're making that
5 same request, your Honor, for that transcript. We believe
6 it potentially could contain some *Brady* materials, your
7 Honor.

8 THE COURT: Sure. Okay. All right. Unless there is
9 anything else, counsels --

10 MR. STEEL: Your Honor, I join that. And I also
11 believe I advised the Court the reason that I also want it
12 for confrontation, cross-examination is supposed admissions
13 Mr. Copeland made about our case outside our presence. And
14 based upon information and belief, the Court handed
15 Mr. Copeland allegedly the law on false swearing and
16 perjury. And if that is true, I would like to also talk
17 with him, if he'll talk to me, about how that came about
18 and I would like to read the transcript.

19 So I'm joining in, but it also goes to matters
20 discussed about the case based upon information and belief.

21 THE COURT: Madam?

22 MS. LOVE: Your Honor, there was no matter to which
23 either counsel for either of the defendants was a party.
24 There was no matter to which either defendant in this case
25 was a party that was had or held outside this courtroom.

1 So we would ask that the Court deny what is being
2 requested of the Court because that is something to which
3 neither defendant is entitled.

4 MR. MATTHEWS, SR.: Your Honor, the witness is on the
5 witness stand -- your Honor, the witness is on the witness
6 stand. The witness is testifying under the RICO act which
7 covers all the defendants.

8 It's our understanding upon information and belief
9 that particular witness has stated again on Friday that he
10 was not going to testify and he was going to plead the
11 Fifth. Today it was a different scenario. And based upon
12 that, your Honor, we believe that we should be entitled to
13 that under *Brady* because we believe it's potential *Brady*
14 material.

15 THE COURT: All right, sir.

16 MR. MATTHEWS, SR.: And it's covered under the RICO
17 statute. He's testifying against all of these defendants
18 under RICO. So we all are part of this witness's
19 testimony.

20 MS. LOVE: Your Honor, I would additionally point out
21 that the question to which Mr. Copeland asserted a Fifth
22 Amendment privilege was: How old are you?

23 THE COURT: On Friday.

24 MS. LOVE: Yes.

25 THE COURT: Yeah. I'm going to deny your motion at

1 this time, Mr. Matthews.

2 MR. SCHARDT: Your Honor, I don't understand the
3 State's argument that we are not a party. This gentleman
4 was sworn in as a witness against all of our clients. He
5 is sworn in as a witness specifically against
6 Mr. Stillwell.

7 Conversations with that gentleman were occurring
8 apparently ex parte without our knowledge, without my
9 client's presence. And I don't understand how the State
10 with a straight face can possibly say we are not a party to
11 matters concerning a witness sworn in in trial to testify
12 against our clients. We are certainly a party, and we were
13 denied the right to be present.

14 THE COURT: All right. Thank you, sir. I'm still
15 going to deny it.

16 Anything else?

17 MS. MERCHANT: We would ask for a copy of that
18 transcript since it's germane to the contempt. So we'll be
19 asking for that from the court reporter, I assume it's this
20 court reporter, since that is --

21 THE COURT: It's an ex parte matter so you are not
22 going to get it unless the appellate court wants to see if
23 it is accepted. But I'm not going to give it to you at
24 this point in time.

25 MR. WEINSTEIN: Your Honor, I assume the Harvey rule

1 applies on this motion?

2 THE COURT: Yes, sir.

3 MR. WEINSTEIN: Thank you.

4 THE COURT: All right. See you-all tomorrow morning,
5 okay, 9:30 for anticipated 10:00 start time. We're in
6 recess.

7 (The proceedings concluded at 7:41 p.m.)

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

6/10/24
Court's
Exhibit
1

STATE OF GEORGIA,)
)
v.) INDICTMENT NO. 22SC183572
)
)
JEFFERY WILLIAMS,) JUDGE GLANVILLE
 Defendant,)
)
)
BRIAN STEEL,)
 Movant.)

NOTICE OF APPEAL

Notice is hereby given that Brian Steel hereby appeals to the Court of Appeals of Georgia from the Order of contempt on June 10, 2024, holding Brian Steel in criminal contempt.

The Clerk will kindly take note that the transcript of evidence of the proceedings on June 10, 2024, are to be included with the Record on Appeal.

No other portion of the Record is to be included for this Appeal.

The Court of Appeals of Georgia has jurisdiction of this case on Appeal.

This 10th day of June, 2024.

Respectfully submitted,

/S/ Colette Resnik Steel
COLETTE RESNIK STEEL
GA Bar No. 601092
The Steel Law Firm, P.C.
1800 Peachtree Street NW, Ste. 300
Atlanta, Georgia 30309
(404) 605-0023
Attorney for Brian Steel

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing **NOTICE OF APPEAL** via electronic filing as well as via e-mail to the following:

Adriane.Love@fultoncountyga.gov
Demetrius.Smith@fultoncountyga.gov
Simone.Hylton@fultoncountyga.gov

Adriane Love, Esq.
Demetrius Smith, Esq.
Simone Hylton, Esq.
Fulton County District Attorney's Office
136 Pryor Street SW
Atlanta, GA 30303

This 10th day of June, 2024.

Respectfully submitted,

/S/ Colette Resnik Steel
COLETTE RESNIK STEEL
GA Bar No. 601092
Attorney for Brian Steel

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

STATE OF GEORGIA,)	
	)	INDICTMENT NO. 22SC183572
v.)	
)	
JEFFERY WILLIAMS,	)	JUDGE GLANVILLE
Defendant,)	
)	
BRIAN STEEL,)	
Movant.)	

MOTION FOR SUPERSEDEAS BOND ON CRIMINAL CONTEMPT

Now comes the Movant in the above stated action and moves this court for a Supersedeas Order, and as grounds therefore states the following:

1. Movant was adjudged in contempt of court by an oral Order of this Court issued today. The Court has declined to issue a written Order.
2. Movant has filed a timely Notice of Appeal. A copy of said notice is attached hereto and incorporated as a part herein as Exhibit "A."
3. Unless a supersedeas is granted, the questions to be raised by appeal in this case will become moot, and Movant will be denied the right of appeal.
4. That unless supersedeas is granted, irreparable injury will result to Movant from the instantaneous enforcement of the sentence of the court.
5. This Court must grant a Supersedeas Bond under O.C.G.A. § 5-6-13. There is no discretion under the statute.

WHEREFORE, it is requested that the Court issue an Order of Supersedeas Bond.

Submitted on June 10, 2024.

S/ Colette Resnik Steel
Colette Resnik Steel
Ga. Bar No. 601092
The Steel Law Firm, P.C.
1800 Peachtree Street NW, Ste. 300

Atlanta, Georgia 30309
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**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA,)	
)	INDICTMENT NO. 22SC183572
v.)	
)	
JEFFERY WILLIAMS,)	JUDGE GLANVILLE
Defendant,)	
)	
BRIAN STEEL,)	
Movant.)	

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No other portion of the Record is to be included for this Appeal.

The Court of Appeals of Georgia has jurisdiction of this case on Appeal.

This 10th day of June, 2024.

Respectfully submitted,

/S/ Colette Resnik Steel
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GA Bar No. 601092
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1800 Peachtree Street NW, Ste. 300
Atlanta, Georgia 30309
(404) 605-0023
Attorney for Brian Steel

CERTIFICATE OF SERVICE

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Adriane.Love@fultoncountyga.gov
Demetrius.Smith@fultoncountyga.gov
Simone.Hylton@fultoncountyga.gov

Adriane Love, Esq.
Demetrius Smith, Esq.
Simone Hylton, Esq.
Fulton County District Attorney's Office
136 Pryor Street SW
Atlanta, GA 30303

This 10th day of June, 2024.

Respectfully submitted,

/S/ Colette Resnik Steel
COLETTE RESNIK STEEL
GA Bar No. 601092
Attorney for Brian Steel

CERTIFICATE OF SERVICE AND COMPLIANCE

The undersigned attorney hereby certifies that the foregoing document was filed using the Court's online e-filing service, which will automatically send service copies to all counsel of record.

**Adriane Love, Esq.
Demetrius Smith, Esq.
Simone Hylton, Esq.
Fulton County District Attorney's Office
136 Pryor Street SW
Atlanta, GA 30303**

So certified, today, June 10, 2024.

*/s/ Colette Resnik Steel
GA BAR NO. 601092
The Steel Law Firm, P.C.
1800 Peachtree Street NW, Ste. 300
Atlanta, Georgia 30309
(404) 605-0023
Crsteel@msn.com*

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

STATE OF GEORGIA,)	
	)	INDICTMENT NO. 22SC183572
v.)	
)	
JEFFERY WILLIAMS,	)	JUDGE GLANVILLE
Defendant,)	
)	
BRIAN STEEL,)	
Movant.)	

MOTION TO SET ASIDE CONTEMPT

COMES NOW, Brian Steel, Movant herein, and hereby files this Motion to Set Aside Contempt in the above-referenced case. In support of this Motion, Movant shows as follows:

1.

Movant is counsel of Record for Jeffery Williams in Indictment Number 22SC183572 in Fulton County Superior Court. The jury trial commenced on January 4, 2023 and is ongoing.

2.

Today, on June 10, 2024, the court, along with the State prosecutors, engaged in an ex parte hearing with a sworn witness for whom an Order of Immunity was issued. The witness had previously asserted his Fifth Amendment Privilege and was held in contempt. The court and the State admitted on televised court proceedings that this meeting took place.

3.

Attorney for Defendant Jeffery Williams, Brian Steel, commenced proceedings in open court on June 10, 2024, by disclosing that the defense had knowledge of this information, demanded same and proceeded to make a Motion for Mistrial.

4.

The trial court immediately inquired of Mr. Steel how he came into possession of the information, and expressed outrage that Mr. Steel knew of this information.

5.

Citing State of Georgia Bar Rule 1.6, CONFIDENTIALITY OF INFORMATION, Mr. Steel declined to provide that information.

Rule 1.6 states, in pertinent part, as follows:

- (a) A lawyer shall maintain in confidence all information gained in the professional relationship with a client, including information which the client has requested to be held inviolate or the disclosure of which would be embarrassing or would likely be detrimental to the client, unless the client gives informed consent, except for disclosures that are impliedly authorized in order to carry out the representation, or are required by these rules or other law, or by order of the court.

6.

Comment 5 to Rule 1.6 specifically states:

The principle of confidentiality is given effect in two related bodies of law, the attorney-client privilege (which includes the work product doctrine) in the law of evidence and the rule of confidentiality established in professional ethics. **The attorney-client privilege applies in judicial and other proceedings in which a lawyer may be called as a witness or otherwise required to produce evidence concerning a client. The rule of client-lawyer confidentiality applies in situations other than those where evidence is sought from the lawyer through compulsion of law. Rule 1.6 applies not merely to matters communicated in confidence by the client but also to all information gained in the professional relationship, whatever its source. A lawyer may not disclose such information except as authorized or required by the Georgia Rules of Professional Conduct or other law.** See also Scope. The requirement of maintaining confidentiality of information gained in the professional relationship applies to government lawyers who may disagree with the client's policy goals.

7.

The court repeatedly demanded that Mr. Steel reveal the source of the information, claiming that the way that Mr. Steel obtained that information was “unlawful.” Mr. Steel relied on Rule 1.6 and declined to provide the source of information, which was never alleged to be deemed confidential by any court order, placed under seal or subject to a protective order.

8.

The court held Mr. Steel in criminal contempt for refusal to provide information and ordered that he be taken into custody. The court temporarily permitted Mr. Steel to participate in trial for the day but has indicated that at the close of business it will again address the matter and demand that Mr. Steel reveal from where the information was obtained. Based upon information and belief, Mr. Steel will decline to disclose this information.

9.

Hours after holding Mr. Steel in criminal contempt, the court stated that Mr. Steel can only purge himself of the contempt by telling the court from where he got “information that he shouldn’t have had.”

10.

Thus, the court has imposed an illegal and inherently inconsistent punishment for this criminal contempt. Moreover, the court has involved himself in these proceedings and thus, the court must recuse and allow these proceedings to be handled by a separate Court.

11.

Where the announcement of punishment is delayed, and where the contumacious conduct was directed toward the judge or where the judge reacted to the contumacious conduct in such

manner as to become involved in the controversy, the judge may give the attorney notice of specific charges, but the hearing, including the attorney's opportunity to be heard, must be conducted by another judge. In re Schoolcraft, 274 Ga. App. 271, 271, 617 S.E.2d 241 (2024).

12.

The Court has stated that this is a criminal contempt, but has not afforded Mr. Steel Due Process including a right to notice and to be heard.

13.

The Court has refused to issue a written Order of Contempt, stating that this is a criminal contempt matter.

14.

Mr. Steel's statements have not interfered with or posed an imminent threat of interfering with the administration of justice. An attorney may be held in contempt for statements made during courtroom proceedings only after the court has found (1) that the attorney's statements and attendant conduct either actually interfered with or posed an imminent threat of interfering with the administration of justice and (2) that the attorney knew or should have known that the statements and attendant conduct exceeded the outermost bounds of permissible advocacy. Because contempt is a crime, the evidence must, of course, support these findings beyond a reasonable doubt. In re Jefferson, 283 Ga. 216, 220 (2008); In re Burton, 271 Ga. 491(3), 521 S.E.2d 568 (1999).

15.

To the extent that this court believes the contempt is civil, there must be a clear and unequivocal Order of the court that Mr. Steel is deemed to violate that needs to be addressed and

remedied. It certainly cannot be the law that every time a judge asks a question, the failure to answer lands you in jail, especially when counsel has a colorable basis for declining to answer the question.

WHEREFORE, Movant requests that this court reconsider and rescind the order of contempt. Alternatively, this court should immediately grant Mr. Steel a supersedeas bond.

This 10th day of June, 2024.

Respectfully submitted,

/S/ Colette Resnik Steel
COLETTE RESNIK STEEL
GA Bar No. 601092
The Steel Law Firm, P.C.
1800 Peachtree Street NW, Ste. 300
Atlanta, Georgia 30309
(404) 605-0023
Attorney for Brian Steel

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing **MOTION TO SET ASIDE CONTEMPT** via electronic filing as well as via e-mail to the following:

Adriane.Love@fultoncountyga.gov
Demetrius.Smith@fultoncountyga.gov
Simone.Hylton@fultoncountyga.gov
Dane.Uhelski@fultoncountyga.gov

Adriane Love, Esq.
Demetrius Smith, Esq.
Simone Hylton, Esq.
Dane Uhelski, Esq.
Fulton County District Attorney's Office
136 Pryor Street SW
Atlanta, GA 30303

This 10th day of June, 2024.

Respectfully submitted,

/S/ Colette Resnik Steel _____
COLETTE RESNIK STEEL
GA Bar No. 601092
Attorney for Brian Steel

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 5th day of July 2024.



KRISTINA WEAVER, RPR, CCR-B-1785

EXHIBIT D

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)
) **INDICTMENT NO. 22SC183572**
v.)
)
JEFFERY WILLIAMS,) **JUDGE GLANVILLE**
 Defendant.)

i) MOTION TO DISQUALIFY/RECUSE JUDGE GLANVILLE FROM ALL FURTHER DEALINGS IN THE ABOVE-REFERENCED CASE AND (ii) MOTION FOR MISTRIAL WHICH WAS GOADED BY THE IMPROPER CONDUCT COMMITTED IN CONCERT BY THE COURT AND PROSECUTION

COMES NOW, Jeffery Williams, by and through undersigned counsel and hereby files this i) Motion to Disqualify/recuse Judge Glanville from All Further Dealings in the Above-referenced Case and (ii) Motion for Mistrial Which Was Goaded by the Improper Conduct committed in Concert by the Court and Prosecution. In support of this Motion, Mr. Williams shows as follows:

1.

Undersigned counsel represents Mr. Jeffery Williams in the above-referenced case. The jury trial of multiple accused persons commenced January 4, 2023 before Fulton County Superior Court Judge Glanville. The trial is expected to last, at least, through the end of the 2024 calendar year.

2.

On Monday, June 10, 2024, within five (5) days of the filing of this timely Motion, this Court, along with the prosecutors, engaged in an unlawful, improper ex parte meeting with, among other persons, a sworn witness (Kenneth Copeland) for whom an Order of Use Immunity had been issued on Friday, June 7, 2024. No notice of this ex parte meeting was provided to any attorney for any of the criminally accused in the case. In fact, the accused and their counsel were in the dark that

this “star chamber” meeting occurred. Mr. Copeland had previously been called to testify on Friday, June 7, 2024, asserted the fifth amendment privilege in open Court in front of the jury and was held in contempt and summarily incarcerated until such time as he agreed to testify pursuant to the grant of use immunity. Judge Glanville and the prosecutors essentially admitted, by silence and by statements in open Court, that an ex parte meeting occurred on the morning of June 10, 2024, only after undersigned counsel revealed, based upon information and belief, that this impermissible meeting occurred.¹

3.

At the earliest opportunity, on the afternoon of June 10, 2024, the court was informed, based upon information and belief, that the ex parte meeting with the sworn witness Kenneth Copeland and the prosecution occurred earlier that day, that the witness had made factual admissions and that statements were made to the witness by the court and the prosecutor(s) acting in concert, about the amount of time Mr. Copeland could be held in custody on the contempt. The court denied undersigned counsel’s request for the transcript of the ex parte meeting and denied the timely Motion for Mistrial based upon this improper and illegal ex parte meeting which violated Mr. Williams’ Constitutional and Statutory rights, including the right to due process, a fair trial, a fair tribunal, ethical prosecutors and the right to be present at every critical stage of the proceedings under the Georgia Constitution.

4.

¹ A transcript of the relevant proceedings on June 10, 2024 has been ordered from the Court Reporter. A video recording of the entire June 10, 2024 trial proceedings can be accessed online at <https://www.youtube.com/watch?v=86KY3agxE2I>.

Uniform Superior Court Rule 4.1 and Ga. Code of Judicial Conduct 2.9 delineate rules governing ex parte communications. Uniform Superior Court Rule 4.1 generally prohibits ex parte communications: “Except as authorized by law or by rule, judges shall neither initiate nor consider ex parte communications by interested parties or their attorneys concerning a pending or impending proceeding.” Ex parte hearings are only authorized in the case of extraordinary matters such as temporary restraining orders and temporary injunctions. “In other judicial hearings, both parties should be notified of the hearing with an opportunity of attending and voicing any objection that may be properly registered.” City of Pendergrass v. Skelton, 278 Ga. App. 37, 39, 628 S.E.2d 136 (2006); Anderson v. Fulton Nat'l Bank, 146 Ga. App. 155, 156, 245 SE2d 860 (1978). Ga. Code of Judicial Conduct 2.9 - Assuring Fair Hearings and Averting Ex Parte Communications provides:

- (A) 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. Judges shall not initiate, permit, or consider ex parte communications, or consider other communications made to them outside the presence of the parties, or their lawyers, concerning a pending proceeding or impending matter, subject to the following exceptions.
 - (1) Where circumstances require, ex parte communications are authorized for scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits, provided that:
 - (a) the judge reasonably believes that no party will gain a procedural, substantive, or tactical advantage as a result of the ex parte communication; and
 - (b) the judge makes provision promptly to notify all other parties of the substance of the ex parte communication, and gives the parties an opportunity to respond.
 - (2) Judges may obtain the advice of a disinterested expert on the law applicable to a proceeding before the court, if they give notice to the parties of the person consulted and the substance of the advice, and afford the parties reasonable opportunity to respond.
 - (3) Judges may consult with court staff and court officials whose functions are to aid in carrying out adjudicative responsibilities, or with other judges, provided the judge makes reasonable efforts to avoid receiving factual information that is not part of the record, and does not abrogate the responsibility personally to decide the matter.

- (4) Judges may, with the consent of the parties, confer separately with the parties or their lawyers in an effort to mediate or settle pending proceedings.
- (5) Judges may initiate, permit, or consider ex parte communications when authorized by law to do so, such as when issuing temporary protective orders, arrest warrants, or search warrants, or when serving on therapeutic, problem-solving, or accountability courts, including drugs courts, mental health courts, and veterans' courts.

5.

This court violated U.S.C.R. 4.1 and Georgia Code of Judicial Conduct 2.9. The court has joined the prosecutors' team and is biased against Mr. Williams and favorable to the prosecutors as objectively demonstrated on June 10, 2024, as well as throughout the pendency of this case.

6.

The trial court rejected undersigned counsel's substantive requests for information about the unlawful ex parte meeting and the court denied undersigned counsel's Motion for Mistrial. Instead, the court stunningly demanded to know how undersigned counsel came into possession of the information about the ex parte meeting. The prosecutors stunningly sat mute and permitted this injustice to occur and for the court to attempt to intimidate undersigned counsel. Later, Love, a lawyer currently employed with the Fulton County District Attorney's Office, argued that the ex parte hearing with Witness Copeland was ethical, just and proper. The other prosecutor still remained mute.

7.

Undersigned counsel declined to join the antics in ignoring rules and ethical provisions and declined to provide information requested by the court, relying on State Bar Rule of Professional Conduct 1.6 which states, in pertinent part, that:

(a) A lawyer shall maintain in confidence all information gained in the professional relationship with a client, including information which the client has requested to be held inviolate or the disclosure of which would be embarrassing or would likely be detrimental to the client, unless the client gives informed consent, except for disclosures that are impliedly authorized in order to carry out the representation, or are required by these rules or other law, or by order of the court.

8.

Comment 5 to Rule 1.6 specifically states:

The principle of confidentiality is given effect in two related bodies of law, the attorney-client privilege (which includes the work product doctrine) in the law of evidence and the rule of confidentiality established in professional ethics. **The attorney-client privilege applies in judicial and other proceedings in which a lawyer may be called as a witness or otherwise required to produce evidence concerning a client. The rule of client-lawyer confidentiality applies in situations other than those where evidence is sought from the lawyer through compulsion of law. Rule 1.6 applies not merely to matters communicated in confidence by the client but also to all information gained in the professional relationship, whatever its source. A lawyer may not disclose such information except as authorized or required by the Georgia Rules of Professional Conduct or other law.** See also Scope. The requirement of maintaining confidentiality of information gained in the professional relationship applies to government lawyers who may disagree with the client's policy goals. (Emphasis added).

9.

The court ignored the ethical rules relied upon and continued to demand undersigned counsel to reveal the source of the information, claiming that the way that undersigned counsel obtained that information was somehow “unlawful,” and baselessly accused undersigned counsel on the Record of potentially acquiring the information through “eavesdropping.” In response to the specious accusations and the impermissible demands of the court, undersigned counsel relied on the ethical mandates of Rule 1.6 and the fifth amendment right to remain silent and declined to provide the source of information which had been proffered. The court is so biased against undersigned counsel

and/or Mr. Williams, the court ignored all laws and pursued contempt penalties to attempt to intimidate undersigned counsel to violate the law and ethics in order to continue to help the prosecution convict Mr. Williams and all others.

10.

The court issued a written Order of Contempt and Incarceration for Brian Steel imposing the maximum sentence of incarceration for twenty (20) days. (See, Exhibit A, Order of Contempt and Incarceration for Brian Steel).

11.

The Supreme Court of Georgia has granted a Writ of Certiorari to address the appeal of the Contempt Order and has granted undersigned counsel a Supersedeas Bond.

12.

The court violated the law by failing its duty to recuse from presiding over this contempt proceeding. In such proceedings where the announcement of punishment is delayed, and where the contumacious conduct was directed toward the judge or where the judge reacted to the contumacious conduct in such manner as to become involved in the controversy, the judge may give the attorney notice of specific charges, but the hearing, including the attorney's opportunity to be heard, must be conducted by another judge. In re Schoolcraft, 274 Ga. App. 271, 271, 617 S.E.2d 241 (2005). Here, the court involved itself in these proceedings by joining the prosecution team and conducting the ex parte meeting that violated Mr. Williams' rights. This created a conflict of interest for the court because its own unethical conduct is questioned and at the heart of this issue. The court then compounded its abuse of power by presiding over the very contempt hearing where its own rules violations prompted the controversy. The court should have recused and allowed the contempt proceedings to be handled by a separate court. Further, the prosecutors sat mute and permitted the

court to attempt to interrogate and intimidate another member of the Bar who reported a violation of law and also promoted the court's wrongful conduct by asserting that the ex parte meeting was proper.

13.

The court denied Mr. Williams and undersigned counsel their Due Process rights as undersigned counsel has a right to adequate notice and to be heard, to call witnesses at a hearing, and to be represented by counsel for the entirety of the contempt proceeding and Mr. Williams had the right to learn of all facts and circumstances of this critical stage of the proceeding that occurred in his absence, ex parte.

14.

The court abused its authority by holding undersigned counsel in contempt for refusing to divulge privileged information and for protecting Mr. Williams' Constitutional rights to due process, right to a fair tribunal, right to a fair trial, right to be present and effective assistance of counsel. This court's refusal to acknowledge these rights and protections has created an unfair tribunal based upon bias against Mr. Williams and/or his counsel and favoritism to the prosecutors.

15.

Motion to Disqualify/Recuse Judge Glanville is timely filed as Uniform Superior Court Rule 25.1 mandates that the time for filing a Motion to Recuse shall be not later than five (5) days after the Affiant first learned of the grounds for disqualifications. The Honorable Supreme Court of Georgia has taught that a Motion to Recuse is timely filed under U.S.C.R. 25.1 if it is filed within five (5) days after the Affiant first learned of the alleged grounds for disqualification, excluding Saturdays and Sundays. See Mayor and Aldermen of the City of Savannah v. Batson-Cook Co., 291 Ga. 114, 120, 728 S.E.2d 189 (2012); O.C.G.A. § 1-3-1. Thus, this Motion to Disqualify/Recuse is

timely filed as the reason for this disqualification/recusal was first learned on Monday, June 10, 2024. (See Exhibit B, Joint Affidavit, attached hereto).

16.

The record also reveals numerous instances during trial when the judge's behavior appears to have been biased against Mr. Williams' counsel and partial in favor of the State. See Millhouse v. State, 254 Ga. 357, 359, 329 S.E.2d 490 (1985)(contentions that a trial judge's derogatory or prejudicial statements and demeanor will be considered so long as a reviewable record has been completed; one method of creating such a record is to obtain testimony from witnesses who were in the courtroom at the time of the incident in question). The record reveals other instances, too, when the trial court wrongly berated counsel in front of the jury. After a number of such incidents, Mr. Williams' counsel, out of the jury's presence, moved for the trial judge's recusal and sought a mistrial on grounds that the judge had shown a lack of objectivity, had displayed bias against Mr. Williams and his counsel, and had assisted the prosecutors in making their case before the jury. Judges have an ethical duty to disqualify themselves from any matter in which they have a personal bias or prejudice concerning a party or an attorney appearing before them. In this regard, a trial judge "shall avoid all impropriety and appearance of impropriety." The Code of Judicial Conduct provides that "judges should disqualify themselves in a proceeding in which their impartiality might reasonably be questioned, including but not limited to instances where . . . the judge has a personal bias or prejudice concerning a party or a party's lawyer. Within the context of this requirement, the word "should" means "shall." The Supreme Court is mindful of the extraordinary pressures attending a criminal trial of this magnitude. On the one hand, defense counsel is obligated to vigorously defend his client against all charges brought by the State. Likewise, prosecutors must effectively and ethically present the State's case to a jury. At the same time, the trial judge is charged with ensuring

that the rules of evidence and procedure are followed, and that the proceedings are both orderly, ethical and fair. When these several interests come together in the courtroom during trial, disagreements between the bench and bar are to be expected. The instances discussed above and in the attached Exhibit “B,” Joint Affidavit, however, represent more than mere friction between zealous counsel and a diligent jurist. The judge’s conduct, as discussed above and herein, created the impression that he harbored an inclination to be biased against Mr. Williams and his counsel and partial toward the prosecution. Higher Courts need not decide whether such bias and impartiality actually existed, because judges are ethically bound to disqualify themselves whenever their “impartiality might reasonably be questioned,” including instances where the judge’s behavior could indicate that he “has a personal bias or prejudice concerning a party or a party’s lawyer.” As explained, the trial judge in this case participated in ex parte communications with the prosecutor in which he assisted the State to influence a witness to testify against Mr. Williams. These actions certainly raised reasonable questions concerning the judge’s partiality and bias. Because the trial judge’s impartiality is reasonably questionable, it is error to deny Mr. Williams’ Motion for recusal. See Johnson v. State, 278 Ga. 344(3, fn. 9), 602 S.E.2d 623 (2004).

17.

Our Highest Court has set forth at least three (3) circumstances in which recusal of a court is necessary on the ground of mere appearance of bias, even in the absence of evidence of actual bias. Mr Williams does not waive that actual bias has been objectively shown throughout trial as well as on June 10, 2024, but, for simplicity, the appearance of bias is also met. Two (2) of these circumstances arise in the case at bar.²

² The third circumstance in which recusal is required on the ground of mere appearance of bias, absent evidence of actual bias, is when a judge has a direct, personal, substantial pecuniary interest in reaching a conclusion against a litigant. Based upon information and belief, this

18.

First, mere appearance of bias requires the recusal of a judge when the judge becomes embroiled in the controversy with one of the litigants. See Mayberry v. Pennsylvania, 400 U.S. 455, 465, 91 S. Ct. 499, 27 L.Ed.2d 532 (1971); Taylor v. Hayes, 418 U.S. 488, 501-502, 94 S. Ct. 2697, 41 L.Ed.2d 897 (1974)(relationship between the judge and the lawyer was such that due process required recusal of the judge). As shown in Exhibit “B,” attached hereto, the Court favors the prosecution and is attempting to sabotage the defense.

19.

Georgia Courts have followed this demand for recusal when the judge becomes embroiled in the controversy. See In re Burgar, 264 Ga. App. 92, 94, 589 S.E.2d 679 (2003)(due process requires that the trial judge cannot be both the prosecutor as well as the judge in our judicial system and thus, must be recused); In re Adams, 215 Ga. App. 372, 377, 450 S.E.2d 851 (1994)(where the judge reacted to the supposed contumacious conduct in such a manner to become involved in the controversy, the judge may give the attorney notice of specific charges, but the hearing, including the attorney’s opportunity to be heard, must be conducted in front of an unbiased, impartial judge); In re Schoolcraft, 274 Ga. App. 271, 273, 617 S.E.2d 241 (2005)(the trial judge became involved in the controversy as he necessarily applied his impressions from a prior bond hearing in reaching a finding of potential contempt).

20.

Second, due process requires recusal of the judge when the judge takes a role in the accusatory process. See In re Murchison, 349 U.S. 133, 137, 75 S. Ct. 623, 99 L.Ed. 942 (1955). In

circumstance is not applicable to the case at bar. See Tumey v. State of Ohio, 273 U.S. 510, 47 S. Ct. 437, 71 L.Ed. 749 (1927); Aetna Life Ins. Co. v. Lavoie, 475 U.S. 813, 821-822, 106 S. Ct. 1580, 89 L.Ed.2d 823 (1986).

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In re Murchison, supra, our Highest Court explained that the Constitution prohibits a scenario where the judge orders witnesses to appear before him/her in order for the judge to gather facts to determine whether contempt proceedings should occur and then the same judge presides over the contempt trial. This is because such a “Judge-Grand Jury” arrangement caused the judge to become part of the accusatory process and thus, this judge must be recused from further dealings on the case. Here, Judge Glanville has Ordered Mr. Copeland’s lawyer and others to appear to give information on a contempt proceeding. Same is against the law.

21.

Importantly, a trial judge has the duty to recuse itself, sua sponte, from any proceeding in which the judge’s impartiality might reasonably be questioned, including instances where the judge has a personal bias or prejudice concerning a party. See Marlow v. State, 339 Ga. App. 790(4), 792 S.E.2d 712 (2016). The phrase “impartiality might reasonably be questioned” means the existence of an objectively reasonable perception of lack of impartiality by the judge, held by a fair-minded and impartial person based upon objective fact or reasonable inference. See Baptiste v. State, 229 Ga. App. 691(1), 494 S.E.2d 530 (1997). To warrant recusal, the alleged bias must be of such nature and intensity to prevent the complaining party from obtaining a trial uninfluenced by the judge’s pre-judgement. To warrant disqualification of the trial judge, the Affidavit in support of a Motion seeking same must support the charge of a bent of mind that may prevent or impede the impartiality of the judge. See In re Estate of Roberston, 271 Ga. App. 785(5), 611 S.E.2d 680 (2005). Mr. Williams meets this mark. (See Exhibit “B,” attached hereto).

22.

Recusal is objectively required when the judge serves both as the accuser and the adjudicator in a case. See Williams v. Pennsylvania, 579 U.S. 1(1)(a), 136 S. Ct. 1899, 195 L.Ed.2d 132 (2016).

23.

In the case at bar, the court met ex parte with prosecutors and sworn witness Copeland and never intended to reveal that ex parte meeting occurred to Mr. Williams and/or his counsel (or to anyone for that matter). The court has become part of the executive branch prosecuting Mr. Williams. Moreover, the prosecutors have abandoned and violated their ethical duties by engaging in this ex parte meeting and sitting silent while the court held undersigned counsel in contempt and failed to reveal any Brady evidence from the meeting, including the fact that this meeting occurred. The court and the prosecutors should not be working together (but they are), teaming up to gain an unlawful advantage over Mr. Williams. Mr. Williams' trial is constitutionally fractured, unfair and lacks all constitutional, statutory and ethical safeguards and protections of due process of law. The court is biased against the accused and his counsel. (See Affidavit, Exhibit B). See U.S.C.R. 25.3. No intellectually honest person could believe that coercing Witness Copeland to testify in a "star chamber" setting meets Constitutional muster.

24.

This court has failed to follow the lawful path. Instead, the court has unlawfully become the prosecutor, "Judge-Grand Jury," biased, partial, potential sentencer and thus, must be removed from this case, in toto, instante.

25.

On a Motion to disqualify/recuse, it is the duty of the judge to pass only on the legal sufficiency of the facts alleged and to ask whether these facts support a charge of bias or prejudice. Neither the truth of the allegations nor the good faith of the pleader may be questioned, regardless of the judge's personal knowledge to the controversy. The test is whether, assuming the truth of the facts alleged in the attached Affidavit, a reasonable person would conclude bias exists on the part

of the judge. See Post v. State, 298 Ga. 241(3b), 779 S.E.2d 624 (2015); In re Adams, 215 Ga. App. 372(1), 450 S.E.2d 851 (1994).

26.

This court's conduct raises a strong finding that it has become personally embroiled in the case. It is clear, even to a casual observer, that this court's involvement in this controversy requires this court be disqualified/recused/removed from all further proceedings in the above-referenced case, instanter, and another Judge, who will duly exercise the powers of the judicial branch, with partiality, clarity and fairness, must be appointed to this case. See Dowdy v. Palmour, 251 Ga. 135, 304 S.E.2d 52 (1983).

27.

It is critical to the functioning of our courts that the public believe in the absolute integrity and impartiality of its judges and judicial recusal serves as a linchpin for the underlying proposition that the court will be fair and impartial. See Mayor and Aldermen of the City of Savannah v. Batson-Cook Co., 291 Ga. 114, 728 S.E.2d 189 (2012).

28.

The Georgia Code of Judicial Conduct, Rule 2.11(A) mandates that a judge must disqualify himself in any proceeding in which the judge's impartiality must be reasonably questioned or which the judge has a personal bias or prejudice concerning a party or a party's lawyer.

29.

This Motion to disqualify/recuse Judge Glanville, accompanied by the attached Affidavit, mandates that Judge Glanville (i) shall immediately cease to act upon any matters involved in State of Georgia v. Jeffery Williams, et al, supra, (ii) shall immediately determine the timeliness of this Motion and legal sufficiency of the attached Affidavit, and (iii) assuming that any and/or all facts

alleged in the Affidavit to be true, whether recusal would be warranted. If it is found that this Motion is timely filed (which it is), the Affidavit is legally sufficient (which it is), and that recusal would be authorized if some or all of the facts set forth in the Affidavit are true (which it does), Judge Glanville must cease from any further contact with this case and another judge shall be assigned to hear this Motion to disqualify/recuse Judge Glanville. Judge Glanville cannot, in any way, oppose this Motion. See Mondy v. Magnolia Advanced Material, Inc., 303 Ga. 764, 815 S.E.2d 70 (2018).

30.

The attached Joint Affidavit clearly set forth the facts and reasons for the belief that bias and/or prejudice exist on the part of Judge Glanville. The allegations in the attached Affidavit are not just bare conclusions and opinions, but are facts. See Mundy v. Magnolia Advanced Materials Inc., 303 Ga. 764, 766, 815 S.E.2d 70 (2018).

31.

Georgia Code of Judicial Conduct Rule 2.11 mandates that Judge Glanville must disqualify/recuse himself from this case, instante. In the alternative, another judge must be assigned to this case and then order Judge Glanville recused based upon his conduct as stated herein and in the attached Affidavit. The facts cannot be ignored, to wit: Judge Glanville's impartiality might reasonably be questioned by an objective observer and thus, Judge Glanville must be disqualified/recused from this case. See Birt v. State, 256 Ga. 483, 486, 350 S.E.2d 241 (1986). A fair minded and impartial person would hold a reasonable perception that Judge Glanville lacks impartiality based upon objective facts set forth in this Motion and the attached Affidavit or reasonable inferences therefrom. See Ellicott v. State, 320 Ga. App. 729, 735, 740 S.E.2d 716 (2013)(reasonable perception of a lack of impartiality held by a fair minded and impartial person is based upon objective facts or reasonable inferences). Furthermore, Judge Glanville's potential bias

is of such a nature and intensity to prevent Judge Glanville from being uninfluenced by his pre-judgements. Judge Glanville's conduct gives fair support to a charge of a bent of mind that may prevent or impede the impartiality of justice if Judge Glanville is not disqualified/recused from this case. See Johnson v. State, 278 Ga. 344, 349, 602 S.E.2d 623 (2004); Kappelmier v. PDQ Property Mgmt., 309 Ga. App. 430, 431, 710 S.E.2d 631 (2011).

32.

Further, this Indictment must be dismissed, a mistrial granted based upon the court's and prosecution's continued misconduct as shown in Exhibit "B," attached hereto. A Constitutionally required fair trial, occurring before a fair tribunal with ethical prosecutors, has been violated. This includes, but is not limited to witness intimidation. See, for example, United States v. MacCloskey, 682 F.2d 468, 479 (4th Cir. 1982); United States v. Linder, 2013 WL 812382 (N.S. Ill. March 5, 2013); United States v. Morrison, 535 F.2d 223, 228 (3rd Cir. 1976); United States v. Golding, 168 F.3d 700 (4th Cir. 1999).

33.

Judge Glanville, lawyers for the State Love and Hylton will be called as witnesses at trial for the jury to understand this ex parte meeting and determine demeanor and credibility. Additionally, Mr. Williams demands all ex parte meetings to be disclosed, instanter, in order to properly reveal the full extent of all violations of law/ethics. Again, lawyers for the State Love and Hylton and Judge Glanville are necessary witnesses at this hearing and trial to determine the correctness of the Motion for Mistrial goaded by conduct of these parties/judge.

WHEREFORE, based upon the above and the attached Affidavit, if Judge Glanville does not immediately recuse from any and all further dealings on this case, this Motion must be set down

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before another Judge to determine why Judge Glanville can continue to serve as Judge in this case. Further, a mistrial must be granted based upon these judicial and prosecution violations of law/ethics.

This 17th day of June, 2024.

Respectfully submitted,

/s/ Brian Steel

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Attorneys for Mr. Williams

EXHIBIT A

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)	
	)	INDICTMENT
v.	)	NO. 22SC183572
)	
JEFFERY WILLIAMS,)	
)	
Defendant.)	

**ORDER OF CONTEMPT AND INCARCERATION FOR
BRIAN STEEL**

During the proceedings in the above-styled case on the afternoon of June 10, 2024, one of the two representatives for Defendant Jeffery Williams, Mr. Brian Steel, took to the podium and stated to the Court that he had been informed of an *ex parte* communication which took place in the Court’s chambers that morning. The only parties present for this *ex parte* matter were the Court, the Court’s official court reporter, representatives from the State, the State’s witness Mr. Kenneth Copeland, and counsel for Mr. Copeland. In addition to the Court’s serious concern with how this information was improperly disclosed to Defense counsel, Mr. Steel made several claims regarding the sum and substance of the communication that the Court found troubling. The Court having told Mr. Steel multiple times that he needs to tell the Court how he came into that information, and the Court having explicitly warned Mr. Steel that he faces contempt of court should he not comply, the Court finds Mr. Steel has repeatedly refused to follow the Court’s order.

“Every court has the power to compel obedience to its orders and to control the conduct of persons connected with a judicial proceeding. *See* O.C.G.A. § 15-1-3 (3), (4). One who disobeys an order or command of the court may be found in criminal contempt.” In re Syvertson, 368 Ga. App. 865, 866, 891 S.E.2d 424, 425 (2023). “Before a person may be held in contempt for

violating a court order, the order should inform him in definite terms as to the duties thereby imposed upon him, and the command must therefore be express rather than implied.” Id. at 867.

[T]he question of whether a contempt has occurred is for the trial court, and its determination will be overturned only if there has been a gross abuse of discretion. Once an act has been determined to constitute contempt of court, the action the court takes to deal with the contempt determines whether the contempt is deemed ‘criminal’ contempt or ‘civil’ contempt. The distinction between criminal and civil contempt is that *criminal contempt imposes unconditional punishment for prior contempt, to preserve the court's authority and to punish disobedience of its orders.*

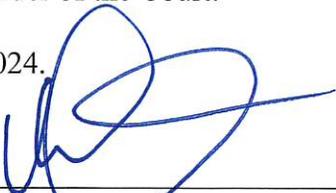
Yntema v. Smith, 371 Ga. App. 19, 28, 899 S.E.2d 543, 553 (2024) (emphasis added).

“Direct summary criminal contempt which arises in the presence of the court and tends to scandalize it and hinder or obstruct the orderly processes of the administration of justice, the preservation of order and decorum in the court, etc. is exempt from the due process requirements of notice and hearing.”

Moody v. State, 131 Ga. App. 355, 206 S.E.2d 79 (1974).

Accordingly, **IT IS HEREBY ORDERED** that, pursuant the Court’s authority under O.C.G.A. § 15-1-3(3), the Court holds Mr. Steel in direct criminal contempt for failure to comply with the Court’s order. **IT IS FURTHER ORDERED** that Mr. Steel shall be taken into the custody of the Fulton County Sheriff and incarcerated at the Fulton County Jail for no more than twenty (20) days for this contempt, with those twenty days consisting of every weekend for the next ten (10) weekends. Mr. Steel is to report to the Fulton County Jail, 901 Rice Street NW, Atlanta, Georgia 30318, at 7:00 PM on Fridays, and will be released at 7:00 PM on Sundays. Mr. Steel’s incarceration is to start this Friday, June 14, 2024 at 7:00 PM and is not to end until Sunday, August 18, 2024 at 7:00 PM, subject to further order of the Court.

SO ORDERED this 10th day of June, 2024.



The Honorable Ural Glanville, Chief Judge
Superior Court of Fulton County

EXHIBIT B

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,)	
	)	INDICTMENT NO. 22SC183572
v.)	
)	
JEFFERY WILLIAMS,	)	JUDGE GLANVILLE
Defendant.)	

JOINT AFFIDAVIT OF BRIAN STEEL AND KEITH ADAMS, ESQ.

1. We are over the age of 18 and suffer no legal disability. We make this joint affidavit based upon our own personal knowledge.
2. We are counsel for Jeffery Williams in the above-styled case.
3. On Monday, June 10, 2024 and thereafter, Affiants learned the following events in fact occurred outside of Mr. Williams’ presence and outside of Affiants’ presence and in a “star chamber”-like environment.
4. On Monday, June 10, 2024, undersigned Affiants, specifically Brian Steel, asked to have a transcript of whatever conversations were memorialized and Affiants requested the actual recording of anything discussed at this improper in-chambers meeting on said date. This court has obstructed Mr. Williams and below Affiants from having an exact image of what was said. This obstruction, alone, shows that this court is biased as there is absolutely no privilege in communications in this court’s chambers as this court argued on June 10, 2024 and there is certainly no attorney-client privilege under any stretch of the imagination as this court asserted. This obstructionist conduct by this court shows bias and that this court is intrinsically intertwined in the facts of this case and has prevented Mr. Williams from Due Process, fair trial, effective assistance of counsel, right to know every material and critical happenings in his case. Further, this court by its words used on the Record when speaking in open Court with Affiants as well as the court’s silence as well as lawyer Love’s statements in open court, clearly demonstrate that the facts below are true and accurate. The court has also silenced witnesses by improperly issuing a show cause Order for contempt and thus, making all witnesses in fear of going to jail if the truth is told about this improper violation of Mr. Williams’ Constitutional right to be present at every critical stage of his trial, fair trial, fair tribunal, effective assistance of counsel, Due Process under the law, the right to make a Record in the case. This court is biased and must be recused. Further, the cross-examination of Mr. Copeland will include facts that occurred at this star chamber meeting which puts the credibility of lawyer Love, lawyer Hylton, this court in issue and this court should never be the person who is in charge of the jury when the court’s conduct is being questioned based upon the court’s and lawyers for the State of Georgia’s actions. Mr. Williams has been put into a “trick box” by the misconduct of lawyer Love, lawyer Hylton and this court. This court must be recused, a mistrial declared, barred by Double Jeopardy based upon prosecutorial misconduct and judicial misconduct.

5. Mr. Kenneth Copeland, a witness who had been called by the State and sworn on Friday, June 7, 2024 and who invoked his Fifth Amendment and was held in civil contempt by this court, was brought to the Fulton County Courthouse on Monday morning, June 10, 2024. Unbeknownst to Affiants, Mr. Williams or anyone else on the defense side of this case, this court met in its chambers with Mr. Copeland, his counsel, lawyer Love and/or lawyer Hylton and, at times, Court Reporter Weaver as well as Sheriff Deputies and other persons.
6. Deputies may have been instructed to turn off their body cameras.
7. There was and is nothing privileged under law about this improper ex parte meeting.
8. This court and the others met with Mr. Copeland for a lengthy period of time, the total ex parte “meeting” lasted for more than one (1) hour, approximately two (2) hours, with the above named people at the meeting at all or various times. Mr. Copeland continued to make known his assertion that he would not testify even in the face of being held in contempt and Order to testify under use immunity. This court and lawyer for the Fulton County District Attorney’s Office Love and/or Hylton ignored Mr. Copeland’s decision and continued to declare to Mr. Copeland that he would be held in custody until he testifies or alternatively, if he persists in refusing to testify, he would be held in custody until not only Mr. Williams’ current trial resolves, but until all twenty six (26) indicted persons’ cases are resolved, whichever is longer. This court was a participant and was present during these admonitions/threats to Mr. Copeland. This is witness intimidation, coercion and the court has become a member of the prosecution team in assisting the prosecution to induce a material witness to testify. This court, lawyers Hylton and Love are now all witnesses in this case and will be called by Mr. Williams and/or possibly other accused so the jury can determine demeanor and credibility of what occurred at this in-chamber meeting. Please note that the Witness List is hereby amended by this Joint Affidavit to include the court, lawyers Love and Hylton and all other relevant material persons that have information to share with the jury regarding the conduct, words and actions at this ex parte communication.
9. This court provided Mr. Copeland with a written copy of the statute on crimes of perjury as well as false swearing. This is no subtle gesture and one that helped the prosecution team to obtain their mission for Mr. Copeland to change his mind and testify.
10. Lawyer Love made representations to this court in front of Mr. Copeland and his counsel, Sheriff Deputies, the Court Reporter and others that Jonathan Melnick, Esq., counsel for Mr. Copeland, committed misconduct during his representation of Mr. Copeland and was not representing the interest of Mr. Copeland. These are knowing misrepresentations by Lawyer Love to this court (which lawyer Love continues to do) which biases this court in favor of the State and against the accused, their lawyers and other members of the Bar. Further, the court permitting lawyer Love to speak ill of Mr. Copeland’s counsel, in front of Mr. Copeland, adds to the coercion and witness intimidation.
11. This ex parte discussion violated Mr. Williams’ Constitutional right pursuant to Article I, Section I, Paragraph XII of the Georgia Constitution to be present at every material stage of his trial. The court and lawyer Love and/or Hylton speaking with Mr. Copeland, a sworn witness, about his testimony and whether he would change his mind and testify is

clearly a critical stage of the proceedings. See, for example, Scudder v. State, 298 Ga. 438(2), 782 S.E.2d 638 (2016).

12. As asserted in her Motion to Recuse this Court filed at 10:40 P.M. on June 14, 2024, Attorney Bumpus, by her counsel, verified the below facts. These facts are adopted into Affiants' Affidavit, as below. These facts are assertions of Attorney Bumpus as statements of her lawyers. See Parrish v. State, 362 Ga. App. 392(1), 868 S.E.2d 270 (2022), as follows: On Monday, June 10, 2024 at approximately 8:30 A.M., Mr. Copeland and his lawyer, Attorney Kayla Bumpus, were escorted to the court's chambers and conducted an ex parte meeting regarding whether Mr. Copeland would testify. Those present for the substantive portion of this ex parte meeting were Judge Glanville, Mr. Copeland, Attorney Bumpus, lawyers Love and Hylton, members of the court's security staff and deputies, two (2) investigators from the Fulton County District Attorney's Office and the Court Reporter. In chambers, this court asked Mr. Copeland whether he was prepared to testify. Mr. Copeland announced that he planned to again invoke his Fifth Amendment privilege on the stand. A conversation among the parties ensued regarding Mr. Copeland's understanding of immunity, how Mr. Copeland thought he may testify if he did not invoke the Fifth and certain facts of the case. Once Mr. Copeland learned that he could be held indefinitely by the court if he refused to testify (not just two years as he initially believed), Mr. Copeland decided that he would testify. Mr. Copeland added that his testimony would be a lie. The meeting ended and the parties went to the Courtroom.
13. This court never assured that this Brady evidence would be revealed to Mr. Williams or his counsel and Brady evidence includes the fact that this meeting occurred. Instead, this court takes the position that no information about this meeting should have been revealed to Mr. Williams, his counsel or anyone outside of the star chamber where same occurred. This shows that the court has become a member of the prosecution team in an effort to thwart Mr. Williams' Constitutional right to a fair trial and a fair tribunal and Due Process and right to be present for each critical stage of the proceedings, right to call witnesses, right to present a defense, right to cross-examine witnesses on critical topics including that facts of this case were discussed with the court during the intimidation of the witness. This court must be recused, the court and the prosecution have violated Mr. Williams' rights and the Indictment must be dismissed after a mistrial is declared as the court and the State has goaded Mr. Williams into moving for this mistrial/recusal of the court.
14. On Monday afternoon, June 10, 2024 at approximately 1:00 P.M., once Affiants made the above known in open Court, the court refused to release the transcript of this improper ex parte occurrence, held Mr. Williams' lawyer in contempt of court, Ordered Mr. Williams' lawyer to serve the maximum period of time in custody for contempt, all in an attempt to intimidate Mr. Williams and his counsel from understanding and learning about the court's and the prosecution's wrongdoing.
15. The court has become a material witness because undersigned counsel has the right for the jury to understand that this court met with Mr. Copeland and the prosecutors in order to convince Mr. Copeland to testify against Mr. Williams.
16. The improper ex parte meeting on June 10, 2024 with a sworn witness concerning the witness' willingness or non-willingness to testify and this court giving the witness a copy

of the law of perjury and false statements and discussing facts of the case is unforgivable. This is not an ex parte meeting that the court has had with Affiants, ever. On the very few occasions that Affiants have had an ex parte hearing with this court, Affiants announced, in open court, that it needed to speak with the court ex parte, there was no objection by the prosecution and same occurred. Never was a witness involved in these rare ex parte meetings. Affiants demand to question this court and the above lawyers for the District Attorney's Office, as to how many ex parte hearings they have had, the substance of those meetings, who was present and the like. Even if just one (1) ex parte meeting occurred, as did on June 10, 2024, this mandates that the court has forfeited its role as an impartial judge and has become a member of the prosecution team. The court must recuse itself.

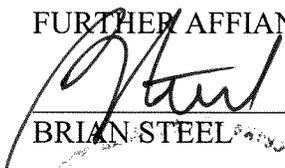
17. The court on at least on one (1) occasion has been fed improper, ex parte, information about facts of this case and a witness' statement about his refusal to testify. The court met with a witness and spoke with the witness about the witness' willingness or non-willingness to testify along with the prosecutors and then, held undersigned counsel in contempt when undersigned counsel simply wanted to know why he was not notified of this ex parte, judicially and ethically prohibited, meeting.
18. The court has now placed the lawyer for Mr. Copeland and other unknown persons in a position that they need to come before the court on a date certain to give testimony as to who gave information to Affiants concerning this improper June 10, 2024, star chamber meeting with Mr. Copeland, the prosecutors and the court. The court has become the Executive Branch, conducting an investigation as a Grand Juror/prosecutor. This court has lost all impartiality and Mr. Williams cannot receive a fair trial with this court being present over the proceedings.
19. This court has falsely and wrongly accused Affiant, specifically Brian Steel, of being unprofessional and unprepared in front of the jury. Neither claim was close to the truth or was accurate. The prosecutor sat silent as Affiant was wrongly and falsely accused of improper conduct. This court has violated every neutrality, impartiality that it was sworn to undertake. See Johnson v. State, 278 Ga. 344(3, fn. 9), 602 S.E.2d 623 (2004)(relevant law quoted in the attached Motion and adopted and relied upon herein). Even knowing that the court has falsely accused Brian Steel of being unprofessional and unprepared in front of the jury, the court has refused to instruct the jury to disregard the court's improper comments. This clearly shows that this court is biased and impartial against Mr. Williams and/or his counsel and in favor of the State as no fair judge would not correct such a serious misstatement made in front of the jury. The bias of the court is objectively proven.
20. When Mr. Copeland took the witness stand on Friday, June 7, 2024, he refused to testify and was taken into custody by this court. This court knew, as did the prosecution, that Mr. Copeland would refuse to testify in front of the jury but the court did not reveal that fact or take any action to stop Mr. Copeland's refusal to testify in front of the jury. Mr. Copeland's refusal to testify in front of the jury prejudiced Mr. Williams a great deal and the jury should never have heard Mr. Copeland exercise his Fifth Amendment right. This court told the courtroom deputies to prohibit the media from filming Mr. Copeland if/when the court Ordered him to be arrested. This direction occurred before Mr. Copeland even took the witness stand on Friday, June 7, 2024. The court has harmed Mr.

Williams by hiding this information from Mr. Williams, having ex parte communications with the Deputy and media and permitting Mr. Copeland to assert his Fifth Amendment right in front of the jury. When the Honorable David Botts, Esq. brought to the court's attention that he had evidence that the prosecution knew that Mr. Copeland was going to invoke his Fifth Amendment right in front of the jury, this court refused to have a hearing to determine whether the prosecution knew that this witness would invoke his right to remain silent or refuse to testify and instead, the court had a "problem" with Attorney Botts. This is backwards. This court has shown bias against Mr. Williams/his lawyers and in favor of the prosecution. This court must be removed from further dealings on this case, this trial must be mistried based upon goading and improper conduct by the court and the prosecution and another trial is prohibited and barred by Double Jeopardy.

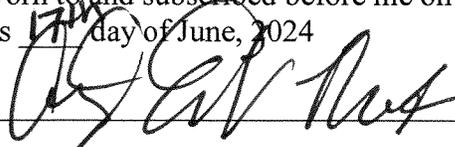
21. In sum, the court must be recused and/or the trial be declared mistried based upon the improper judicial and prosecutorial conduct that includes, but not limited to:
- (i) The court, lawyers Love and/or Hylton are now witnesses because they helped Mr. Copeland change his mind and testify by coercion;
 - (ii) the court, ex parte, assisted the prosecution team by convincing Mr. Copeland to change his mind and to testify against Mr. Williams;
 - (iii) the court has obstructed justice by Ordering any transcript of the June 10, 2024, ex parte meeting not to be produced to Affiants to use to particularize this Affidavit as well as to cross examine Mr. Copeland, the court, the lawyers for the State and/or others before the jury;
 - (iv) facts of the case were discussed with the court at this impermissible ex parte meeting and Brady evidence was not revealed to Affiants by the court and/or the lawyers for the State; and
 - (v) Mr. Williams has questions for Mr. Copeland, this court, lawyers for the State and others about this improper ex parte meeting, how same occurred, who discussed the fact that this secret meeting would occur and the substance of this meeting so the jury can decide whether the court and the State have colluded against Mr. Williams.

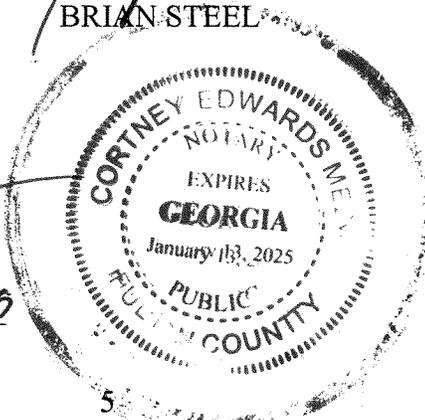
22. I swear that the above is true and accurate.

FURTHER AFFIANT SAITH NOT:


BRIAN STEEL 6-17-24

Sworn to and subscribed before me on
this 17th day of June, 2024


NOTARY PUBLIC
MY COMMISSION EXPIRES: 1/13/25

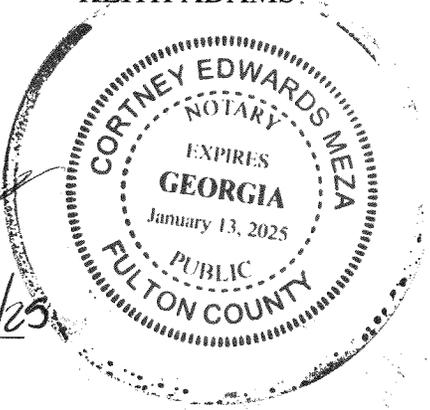


Keith S. Adams
KEITH ADAMS.

Sworn to and subscribed before me on
this 17th day of June, 2024

Cortney Edwards Meza

NOTARY PUBLIC
MY COMMISSION EXPIRES: 1/13/25



CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing **i) MOTION TO DISQUALIFY/RECUSE JUDGE GLANVILLE FROM ALL FURTHER DEALINGS IN THE ABOVE-REFERENCED CASE AND (ii) MOTION FOR MISTRIAL WHICH WAS GOADED BY THE IMPROPER CONDUCT COMMITTED IN CONCERT BY THE COURT AND PROSECUTION** via electronic filing as well as via e-mail to the following:

Demetrius.Smith@fultoncountyga.gov

Adriane.Love@fultoncountyga.gov

Simone.Hylton@fultoncountyga.gov

Dane.Uhelski@fultoncountyga.gov

Demetrius Smith, Esq.

Adriane Love, Esq.

Simone Hylton, Esq.

Dane Uhelski, Esq.

Fulton County District Attorney's Office

136 Pryor Street SW

Atlanta, GA 30303

This 17th day of June, 2024.

Respectfully submitted,

/s/ Brian Steel

BRIAN STEEL

GA Bar No. 677640

Attorney for Mr. Williams

EXHIBIT E

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)	
	)	INDICTMENT
v.	)	NO. 22SC183572
)	
JEFFERY WILLIAMS,)	
)	
Defendant.)	

**ORDER OF CONTEMPT AND INCARCERATION FOR
BRIAN STEEL**

During the proceedings in the above-styled case on the afternoon of June 10, 2024, one of the two representatives for Defendant Jeffery Williams, Mr. Brian Steel, took to the podium and stated to the Court that he had been informed of an *ex parte* communication which took place in the Court’s chambers that morning. The only parties present for this *ex parte* matter were the Court, the Court’s official court reporter, representatives from the State, the State’s witness Mr. Kenneth Copeland, and counsel for Mr. Copeland. In addition to the Court’s serious concern with how this information was improperly disclosed to Defense counsel, Mr. Steel made several claims regarding the sum and substance of the communication that the Court found troubling. The Court having told Mr. Steel multiple times that he needs to tell the Court how he came into that information, and the Court having explicitly warned Mr. Steel that he faces contempt of court should he not comply, the Court finds Mr. Steel has repeatedly refused to follow the Court’s order.

“Every court has the power to compel obedience to its orders and to control the conduct of persons connected with a judicial proceeding. *See* O.C.G.A. § 15-1-3 (3), (4). One who disobeys an order or command of the court may be found in criminal contempt.” *In re Syvertson*, 368 Ga. App. 865, 866, 891 S.E.2d 424, 425 (2023). “Before a person may be held in contempt for

violating a court order, the order should inform him in definite terms as to the duties thereby imposed upon him, and the command must therefore be express rather than implied.” Id. at 867.

[T]he question of whether a contempt has occurred is for the trial court, and its determination will be overturned only if there has been a gross abuse of discretion. Once an act has been determined to constitute contempt of court, the action the court takes to deal with the contempt determines whether the contempt is deemed ‘criminal’ contempt or ‘civil’ contempt. The distinction between criminal and civil contempt is that *criminal contempt imposes unconditional punishment for prior contempt, to preserve the court's authority and to punish disobedience of its orders.*

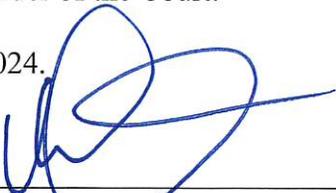
Yntema v. Smith, 371 Ga. App. 19, 28, 899 S.E.2d 543, 553 (2024) (emphasis added).

“Direct summary criminal contempt which arises in the presence of the court and tends to scandalize it and hinder or obstruct the orderly processes of the administration of justice, the preservation of order and decorum in the court, etc. is exempt from the due process requirements of notice and hearing.”

Moody v. State, 131 Ga. App. 355, 206 S.E.2d 79 (1974).

Accordingly, **IT IS HEREBY ORDERED** that, pursuant the Court’s authority under O.C.G.A. § 15-1-3(3), the Court holds Mr. Steel in direct criminal contempt for failure to comply with the Court’s order. **IT IS FURTHER ORDERED** that Mr. Steel shall be taken into the custody of the Fulton County Sheriff and incarcerated at the Fulton County Jail for no more than twenty (20) days for this contempt, with those twenty days consisting of every weekend for the next ten (10) weekends. Mr. Steel is to report to the Fulton County Jail, 901 Rice Street NW, Atlanta, Georgia 30318, at 7:00 PM on Fridays, and will be released at 7:00 PM on Sundays. Mr. Steel’s incarceration is to start this Friday, June 14, 2024 at 7:00 PM and is not to end until Sunday, August 18, 2024 at 7:00 PM, subject to further order of the Court.

SO ORDERED this 10th day of June, 2024.



The Honorable Ural Glanville, Chief Judge
Superior Court of Fulton County

EXHIBIT F

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.

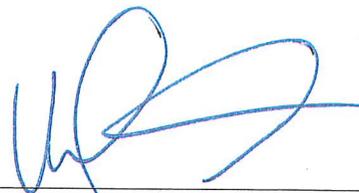
evidence required. *However, no testimony given by Kenneth Copeland as required under this Order or any information directly or indirectly derived from the testimony of Kenneth Copeland given by Kenneth Copeland as required under this Order shall be used against said Kenneth Copeland in any proceeding 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 G

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)
)
v.) INDICTMENT
) NO. 22SC183572
)
KAHLIEFF ADAMS, et al,)
)
)
Defendants.)

ORDER OF RECUSAL

The above-styled case is currently before the Court on Defendant Deamonte Kendrick’s June 12, 2024, *Motion to Recuse Chief Judge Ural Glanville*, non-party Kayla Bumpus’ June 14, 2024, *Motion to Quash Order to Show Cause and Motion to Recuse this Court*, and Defendant Jeffery Williams’ June 17, 2024, *i) Motion to Disqualify/Recuse Judge Glanville from All Further Dealings in the Above-Referenced Case and (ii) Motion for Mistrial which was Goaded by the Improper Conduct Committed in Concert by the Court and Prosecution* (collectively the “Motions”).

Upon review and reconsideration of the Recusal Motions, it is **HEREBY ORDERED AND DIRECTED** that these Recusal Motions to be heard by another Judge pursuant to Uniform Superior Court Rule 25.1 *et seq.*¹ The Clerk of Court is hereby **DIRECTED** to reassign the Recusal Motions to another Judge pursuant to Uniform Superior Court Rule 25.1 *et seq.* and the Court’s local rules.

SO ORDERED, this 1st day of July, 2024.

The Honorable Ural Glanville, Chief Judge
Superior Court of Fulton County
Atlanta Judicial Circuit

¹ The Court notes that this Order is in contravention of the Court’s June 14, 2024, *Order on Motion to Recuse Chief Judge Glanville* (“June 14th Order”). Accordingly, the June 14th Order is hereby rescinded. The Court further notes that it has cancelled the July 3, 2024, Show Cause hearing for Ms. Bumpus; thus her *Motion to Quash Order to Show Cause* has been rendered moot. Regarding Mr. Williams’ *Motion for Mistrial which was Goaded by the Improper Conduct Committed in Concert by the Court and Prosecution*, the Court defers ruling until such time as the recusal motions have been ruled upon by another Judge.

EXHIBIT H

RK

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

CASE NO.: 22SC183572

DEAMONTE KENDRICK,
JEFFREY WILLIAMS,
KAHLIEFF ADAMS,
RODALIUS RYAN,
SHANNON STILLWELL,
QUAMARVIOUS NICHOLS,
MARQUAVIUS HUEY,

Defendants.

ORDER REQUIRING WRITTEN RESPONSE TO RECUSAL MOTIONS

This case is before this Court to consider motion recuse Chief Judge Ural Glanville from further handling of the above-captioned case, two defendants and counsel for a witness. Specifically, the motions before the Court are:

- Defendant Deamonte Kendrick's Motion to Recuse Chief Judge Ural Glanville, filed on June 12, 2024 (Kendrick Dkt. 247)
- Defendant Jeffrey Williams' Motion to Disqualify/Recuse Judge Glanville from All Further Dealings in the Above-Referenced Case, filed June 17, 2024 (Williams Dkt. 587)
- Non-Party Kayla Bumpus' and Motion to Recuse this Court, filed June 14, 2024 (Adams Dkt. 171)

Time is of the essence given that a jury trial is currently paused pending resolution of these recusal motions.

Therefore, the Court hereby orders the State to file a written response to the pending recusal motions on or before 5 p.m., Monday, July 8, 2024. Contemporaneously with filing, the State shall provide a courtesy copy of any

filing(s) by email to the Court's Litigation Manager at
Caretha.German@fultoncountyga.gov.

IT IS SO ORDERED, this 2nd day of July, 2024.



The Honorable Rachel Krause
Fulton County Superior Court
Atlanta Judicial Circuit

Filed and served via eFileGA.

EXHIBIT I

Max Schardt <max@maxschardtlaw.com>

7/8/2024 5:23 PM

FW: Kenneth Copeland

To Cortney Edwards <cortney.edwards@thesteellawfirm.com>

From: Jonathan Melnick <attorneymelnick@yahoo.com>

Sent: Thursday, June 6, 2024 5:48 PM

To: Love, Adriane <adriane.love@fultoncountyga.gov>; The Steel Law Firm PC <thesteellawfirm@msn.com>; Max Schardt <max@maxschardtlaw.com>; Hylton, Simone <simone.hylton@fultoncountyga.gov>

Cc: Long, Antonio <antonio.long@fultoncountyga.gov>

Subject: Re: Kenneth Copeland

I have been Mr. Copeland's attorney. He tells me that he repeatedly told you that when you were questioning him. I also spoke with Don Geary extensively about Mr. Copeland when he was assigned to this case and I spoke with Ms. Love early in the process around the time jury selection was beginning. I have a plea with Judge Carnesale tomorrow at 9:00 and I will come to the courtroom as soon as I am done.

Jon

On Thursday, June 6, 2024 at 04:57:05 PM EDT, Hylton, Simone <simone.hylton@fultoncountyga.gov> wrote:

Good Afternoon,

I hope all is well! In our conversations with Mr. Copeland, he advised that you were not his attorney and he had not spoken with you. However, if you are asserting that you are his attorney, we will cease communication, but your client is under subpoena and is expected to be here at 8:30 a.m. It is our understanding that your client does not have transportation, so we were planning to pick him, so please make sure that he is present, so we do not have to take any further action if he fails to appear for his subpoena. Thank you and have a great evening!

Yours in Service,

Simone N. Hylton (She/Her)

Deputy District Attorney

Brenda Baham Domestic Violence Unit

Office of the Fulton County District Attorney

136 Pryor Street SW, 3rd Floor

Atlanta, GA 30303

Ph: 404-612-4963

Email: simone.hylton@fultoncountyga.gov



From: Jonathan Melnick <attorneymelnick@yahoo.com>
Sent: Thursday, June 6, 2024 4:31 PM
To: Love, Adriane <Adriane.Love@fultoncountyga.gov>; Hylton, Simone <Simone.Hylton@fultoncountyga.gov>; The Steel Law Firm PC <thesteellawfirm@msn.com>; Max Schardt <max@maxschardtlaw.com>
Subject: Kenneth Copeland

Good Afternoon All

It has come to my attention that the Fulton County District Attorney's office has questioned my client Kenneth Copeland without my knowledge or consent. Please be advised that my client does not wish to speak with any member of the Fulton County District Attorney's office nor any law enforcement officer from this point forward. My client will assert his privilege under the Fifth Amendment tomorrow and will not testify.

Thank you.

Jon Melnick

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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing
SUPPLEMENT TO MOTION TO RECUSE JUDGE GLANVILLE via electronic filing as well
as via e-mail and hand delivery to the following:

Rachel.Krause@fultoncountyga.gov
Caretha.German@fultoncountyga.gov

Honorable Judge Rachel Krause
Fulton County Superior Court
185 Central Avenue SW
Atlanta, Georgia 30303

Ural.Glanville@fultoncountyga.gov
Wesley.Kerns@fultoncountyga.gov
Edward.Chamberlain@fultoncountyga.gov

Judge Ural Glanville
Fulton County Superior Court
185 Central Avenue
Atlanta, Georgia 30303

Demetrius.Smith@fultoncountyga.gov
Adriane.Love@fultoncountyga.gov
Simone.Hylton@fultoncountyga.gov
Dane.Uhelski@fultoncountyga.gov

Demetrius Smith, Esq.
Adriane Love, Esq.
Simone Hylton, Esq.
Dane Uhelski, Esq.
Fulton County District Attorney's Office
136 Pryor Street SW
Atlanta, GA 30303

This 8th day of July, 2024.

Respectfully submitted,

/s/ Brian Steel
BRIAN STEEL
GA Bar No. 677640
Attorney for Mr. Williams