

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

HARRISON FLOYD

Indictment No.
23SC188947

ORDER DENYING NON-PARTICULARIZED MOTIONS AND PLEAS

In an effort to efficiently prepare cases for trial and conserve judicial resources, this Court has issued a Standing Order governing all assigned criminal cases. *See* Amended Standing Case Management Order for Criminal Cases in Judge Scott McAfee’s Division, 2023-EX-000227 (Aug. 24, 2023).¹ This Order, which was cited in the scheduling order issued for this case, provides that parties may not file “form” motions compelling the generalized disclosure of discoverable materials or the general exclusion of evidence, and that such non-specific motions will not be considered by the Court. *Id.* at 3. Further, motions must be sufficiently particularized and tailored to the facts of the case at hand to provide legal notice to opposing parties. *Id.* at 5; *see, e.g. Young v. State*, 282 Ga. 735, 737 (2007) (affirming waiver of argument due to non-particularized motion pursuant to O.C.G.A. § 17-5-30(b)); *Gonzalez v. State*, 334 Ga. App. 706, 709 (2015) (finding motions to suppress “must state facts and not merely conclusions”).

The Defendant is welcome to file a timely, particularized motion concerning discovery should newly obtained information become relevant. All parties are expected to follow the law. Either party

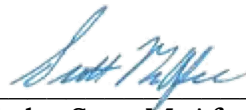
¹ available at
https://www.fultoncourt.org/sites/default/files/judges/forms/mcafee_criminal_cmo.pdf

may make a specific and timely motion if and when a party believes that the other is failing to do so.

With these provisions in mind, the Court denies the following defense motions as generalized, lacking particularity, vague, and/or overly broad, and further exercises its discretion to decline to issue a pretrial ruling:

- Motion to Reveal the Deal (Doc. 34, filed 9/11/23);
- Plea in Bar (Doc. 111, filed 1/5/24); and
- Plea in Abatement (Doc. 112, filed 1/5/24).

SO ORDERED, this 10th day of January, 2024.



Judge Scott McAfee
Superior Court of Fulton County
Atlanta Judicial Circuit