



the Government has presented no evidence of Defendant being anywhere other than the Rotunda area of the Capital building.

Defendant didn't solidify his plan to travel to Washington, DC, until December 28 or 29, 2020, when he put in a leave of absence request with the Court for January 5, 6, and 7, 2021. Note that this requested leave of absence took place 1-2 days *after* former President Trump promoted his January 6, 2021 rally on Twitter (*See Timeline of the 2021 Storming of the United States Capital*: [https://en.wikipedia.org/wiki/Timeline\\_of\\_the\\_2021\\_storming\\_of\\_the\\_United\\_States\\_Capitol#Storming\\_of\\_the\\_Capitol](https://en.wikipedia.org/wiki/Timeline_of_the_2021_storming_of_the_United_States_Capitol#Storming_of_the_Capitol)). Defendant had no plan to enter the Capital building prior to his arrival to Washington, DC, on January 6, 2021, and the Government has provided no evidence that suggests otherwise. (*See Exhibit 2 – Government's Objection to Bail* (March 4, 2021, ECF Doc. 14-2, p. 4), marked "Government Exhibit 4," showing that the first time Defendant mentions going inside the Capital is when he is already in Washington, DC, on January 6, 2021, and standing in front of the Capital building; *See also, Timeline of the 2021 Storming of the United States Capital*, where on January 3, 2021, a 1:00 P.M. protest at the U.S. Capital is added to the January 6 rally announcement on the March to Save America website, which is why Defendant was there, standing in front of the United States Capital on January 6, 2021).

Defendant's Facebook posts indicate that he was narrating what he was

seeing take place and hearing others say around him. Defendant specifically refers to "Patriots" as "we" and "us," as well as "the American People" as "we." (See Exhibit 2 – Government's Objection to Bail (March 4, 2021, ECF Doc. 14-2, pp. 5-6), marked "Government Exhibit 5," and "Government Exhibit 6," where Defendant also notes "admiring the amazing artwork," and "no weapons."

Defendant's co-defendant, Verden Nalley, who has been charged with the same three charges as Defendant, was given a \$10,000, non-surety bond, on February 19, 2021. See Exhibit 1 – Evidence of Co-Defendant's, Verden Nalley's, Bond & Conditions Setting Release. It is safe to believe that the Government has the same level evidence against Mr. Nalley as they do for Defendant.

3). The history and the characteristics of Defendant support his release.

Defendant has been a longstanding member of the Georgia State Bar and is in current good standing and active status. See Exhibit B - Defendant's Motion for Reconsideration of Detention, ECF Doc. 13, March 3, 2021 original filing date, March 6, 2021 ECF filing date.

A). Defendant has prostate cancer and is under the care and treatment of Dr. Patel at Emory Winship Cancer Institute. See Exhibit A – Defendant's Motion for Reconsideration of Detention, ECF Doc. 13, March 3, 2021 original filing date, March 6, 2021 ECF filing date, p. 6 (confirmed prostate cancer), and p. 8 (next appointment with Dr. Patel on April 12, 2021 at 1:00

P.M.). He has lived in Georgia his entire life with numerous family members in Georgia, as well as his private practice law firm, and frequent, almost daily, appearances in Court in order to represent his own clients in their legal cases. *See* Exhibit C – Defendant’s Motion for Reconsideration of Detention, ECF Doc. 13, March 3, 2021 original filing date, March 6, 2021 ECF filing date, Defendant’s current case load of client’s that are relying upon him for their continued legal representation and that Defendant is anxious to return to.

Defendant has no criminal history, thus no related failures to appear. He has no history of drug or alcohol use, and no history of violent or abusive behavior towards anyone. In fact, the number of affidavits previously submitted to the Court indicate Defendant’s kindness, generosity, dedication to his clients and community, and passion for his country.

Defendant testified in Court, under oath, on Friday, March 5, 2021, that his political views changed sometime in 2019 when he grew concerned about changes in gun rights that he believed would impact his friend’s, farmer’s, in his local community. His views are based on genuine concerns about the First and Second Amendments of the United States Constitution.

B). Defendant has no prior criminal history, thus no convictions, probation or parole.

4). Defendant poses no danger to any person, or his community. Nor has he ever posed a danger to anyone. All of his firearms and ammunition have been confiscated by the Government, though he has never used them for anything other than target practice.

Defendant was not, and is not, a flight risk. The Affidavit in support of criminal complaint and arrest warrant were filed against the Defendant on Tuesday, January 12, 2021. Law enforcement did not have an arrest warrant in hand until the evening of January 13, 2021. *See* Exhibit 4 – Government’s Objection to Bail (March 4, 2021, ECF Doc. 14-2, p. 4), January 21, 2021 transcript, p. 72. Defendant appeared in Court on Wednesday, January 13, 2021, in order to represent several of his clients. *See* Exhibit 2 – Evidence of Defendant Not Avoiding Arrest. On Thursday, January 14, 2021 Defendant packed up his personal belongings and relocated temporarily to his sister’s house in Macon, Georgia, due to threats that he and his secretary were receiving by phone, mail and email. *Id.* Defendant was being surveilled on and off from the morning of January 13, 2021 until his without incident arrest on Friday, January 15, 2021. *See* Exhibit 4 – Government’s Objection to Bail, January 21, 2021 transcript, pp. 71 – 74. Not even two (2) days after law enforcement received the arrest warrant.

**U.S. Code Section 1342(g) Supports Defendant's Immediate Release**

Based on the statutory bases suggested to date by the Government, there is insufficient evidence to support the continued detention of Defendant, under the analysis of 3142(g). Therefore, the Court should release Defendant on his own recognizance. The factors outlined in 3142(g) fully support the immediate release of Defendant.

Defendant does not contest the assertion that he entered the United States Capital building on January 6, 2021. In fact, Defendant has admitted to such on numerous occasions. The evidence that the Government has presented to the Court does not support the felony charge against the defendant. At most the evidence may support a misdemeanor charge. This additionally advocates for the release of Defendant.

**Conclusion**

Given the unique set of facts and circumstances giving rise to the present situation and the charges against Defendant, combined with the Defendant's strong ties to his community, lack of flight risk and criminal history, the Court is respectfully compelled to grant Defendant's release from custody.

WHEREFORE, Defendant renews his prayer that this honorable Court grant his Motion for Reconsideration of Detention, and for such other and further relief as the Court deems just and appropriate in the circumstance.

Dated: March 7, 2021

Respectfully Submitted,  
WILLIAM MCCALL CALHOUN, JR.

By: /s/ Jessica N. Sherman-Stoltz  
Jessica N. Sherman-Stoltz, Esq.  
Virginia State Bar #90172  
Sherman-Stoltz Law Group, PLLC.  
P.O. Box 69, Gum Spring, VA 23065  
Phone: (540) 760-7612; Fax: (540) 572-4272  
Email: jessica@sslawgroupva.com

**CERTIFICATE OF SERVICE**

I hereby CERTIFY that on this the 7th day of March 2021, a true and correct copy of the foregoing Defendant's Opposition to the Government's Basis for Detention with the Clerk of Court via the CM/ECF system, which will automatically send an email notification of such filing to all counsel of record.

/s/ Jessica N. Sherman-Stoltz

Jessica N. Sherman-Stoltz, Esq.

Virginia State Bar #90172

Sherman-Stoltz Law Group, PLLC.

P.O. Box 69, Gum Spring, VA 23065

Phone: (540) 760-7612

Fax: (540) 572-4272

Email: [jessica@sslawgroupva.com](mailto:jessica@sslawgroupva.com)

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA        )  
  )  
v.                                        )        Case No. 1:21-cr-000116  
  )  
WILLIAM MCCALL CALHOUN, JR    )  
  )  
      Defendant.                    )

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DEFENDANT’S OPPOSITION TO THE GOVERNMENT’S BASIS FOR  
DETENTION UNDER 18 U.S. CODE SECTION 1342(f)


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EXHIBIT 1 – Co-Defendant’s, Verden Nalley’s, Bond & Conditions Setting Release

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

FILED IN OPEN COURT  
U.S.D.C. - Atlanta

FEB 17 2021

JAMES N. HATTEN, Clerk  
By:  Deputy Clerk

UNITED STATES OF AMERICA

v.

VERDEN ANDREW NALLEY

Criminal Action No.  
1:21-MJ-151

**Government's Motion for Detention**

The United States of America, by counsel, Kurt R. Erskine, Acting United States Attorney, and Ryan K. Buchanan, Assistant United States Attorney for the Northern District of Georgia, moves for detention under 18 U.S.C. §§ 3142(e) and (f).

**1. Eligibility of Case**

This case is eligible for a detention order because this case involves:

A serious risk that the defendant will flee;

A serious risk that the defendant will obstruct or attempt to obstruct justice; and

A serious risk that the defendant will threaten, injure, or intimidate a prospective witness or juror, or attempt to do so.

**2. Reason for Detention**

The Court should detain defendant because there are no conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community.

### 3. Time for Detention Hearing

The United States requests the Court conduct the detention hearing after continuance of 2 days.

The United States requests leave of Court to supplement this motion with additional grounds or presumptions for detention.

Dated: February 17, 2021.

Richard Russell Federal Building  
75 Ted Turner Drive S.W., Suite 600  
Atlanta, Georgia 30303-3309  
Phone: (404) 581-6000  
Fax: (404) 581-6181

Respectfully submitted,

KURT R. ERSKINE  
Acting United States Attorney

*Ryan K. Buchanan*

RYAN K. BUCHANAN  
Assitant U.S. Attorney  
Ga. Bar No. 623388

**Certificate of Service**

I served this document today by electronic mail.

February 17, 2021

*Ryan K. Buchanan*

---

RYAN K. BUCHANAN

Assistant U.S. Attorney

~~FILED IN OPEN COURT~~  
U.S.D.C. - Atlanta

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

FEB 17 2021

JAMES N. HATTEN, Clerk  
By:  Deputy Clerk

UNITED STATES OF AMERICA,  
vs.  
VERDEN ANDREW  
NALLEY,

ORDER OF TEMPORARY  
DETENTION  
PENDING HEARING PURSUANT  
TO BAIL REFORM ACT

CASE NO. 1:21-MJ-151-CCB

On February 17, 2021, the Court held a detention hearing for the above-named Defendant. Counsel for Defendant requested additional time to review court records before the Court made a ruling on the pending motion for detention. It is **ORDERED** that the detention hearing is continued to **FRIDAY, FEBRUARY 19, 2021, at 2:00 P.M.** before United States Magistrate Judge Christopher C. Bly, U.S. Courthouse, Richard B. Russell Building, 20th Floor, Courtroom 2008, 75 Ted Turner Dr., S.W., Atlanta, Georgia 30303.

Pending the hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Dated at Atlanta, Georgia this 17th day of February, 2021.

  
CHRISTOPHER C. BLY  
UNITED STATES MAGISTRATE JUDGE

MAGISTRATE'S CRIMINAL MINUTES - REMOVALS (Rule 5 & 5.1)

FILED IN OPEN COURT

DATE: 2/19/2021 @ 2:03

TAPE: FTR

TIME IN COURT: 53 minutes

MAGISTRATE JUDGE CHRISTOPHER C. BLY COURTROOM DEPUTY CLERK: JAMES JARVIS

CASE NUMBER: 1:21-MJ-151-CCB DEFENDANT'S NAME: Verden Andrew Nalley

AUSA: Ryan Buchanan DEFENDANT'S ATTY: Thomas Hawker

USPO / PTR: ( ) Retained ( ) CJA (X) FDP ( ) Waived

ARREST DATE

Initial appearance hearing held.

Defendant informed of rights.

Interpreter sworn:

COUNSEL

ORDER appointing Federal Defender as counsel for defendant.

ORDER appointing as counsel for defendant.

ORDER: defendant to pay attorney's fees as follows:

IDENTITY / PRELIMINARY HEARING

Defendant ORALLY WAIVES identity hearing.

WAIVER FILED

Identity hearing HELD. Def is named def. in indictment/complaint; held for removal to other district.

Defendant ORALLY WAIVES preliminary hearing in this district only.

WAIVER FILED

Preliminary hearing HELD. Probable cause found; def. held to District Court for removal to other district

Commitment issued. Detention hearing to be held in charging district

BOND/PRETRIAL DETENTION HEARING

Government motion for detention filed .

@

Pretrial hearing set for

@

( ) In charging district.)

Bond/Pretrial detention hearing held.

Government motion for detention ( ) GRANTED (X) DENIED

Pretrial detention ordered. Written order to follow.

BOND set at

\$10,000

NON-SURETY

SURETY

cash

property

corporate surety ONLY

SPECIAL CONDITIONS:

see bond for specifics

Defendant released.

Bond not executed. Defendant to remain in Marshal's custody.

Motion ( verbal) to reduce/revoke bond filed.

Motion to reduce/revoke bond

GRANTED

DENIED

See page 2

UNITED STATES DISTRICT COURT  
for the

NORTHERN DISTRICT OF GEORGIA

UNITED STATES OF AMERICA )

v. )

VERDEN ANDREW NALLEY )

Defendant )

Case No.: 1:21-MJ-151-CCB

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. §14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear: \_\_\_\_\_

Place

on \_\_\_\_\_

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:
Person or organization
Address (only if above is an organization)
City and state Tel. No.

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: Custodian Date

- (X) (7) The defendant must:
(X) (a) submit to supervision by and report for supervision to ( ) U.S. Pretrial Services (XX) U.S. Probation Office
(X) (b) continue or actively seek employment.
(X) (c) continue or start an education program.
(X) (d) surrender any passport to your supervising officer by: and do not obtain nor possess a passport or other international travel document...
(X) (f) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: co-defendant William McCall Calhoun, Jr.
(X) (i) not possess a firearm, destructive device, other weapon, or ammunition...
(X) (j) not use alcohol ( ) at all (X) excessively.
(X) (k) not use or unlawfully possess a narcotic drug or other controlled substances...
(X) (l) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer...
(X) (n) participate in one of the following location restriction programs and comply with its requirements as directed.
(X) (o) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided. Type of monitoring at the discretion of Probation GPS MONITORING
(X) (p) report within 72 hours to the pretrial services office or supervising officer, every contact with law enforcement personnel...
(X) (q) restrict travel to the Northern District of Georgia unless the supervising officer has approved travel in advance.
(X) (r) Defendant is permitted to travel to the District of Columbia for court appearances and court related activities.
(X) (s) Defendant is directed to submit his weekly schedule in advance to his probation officer on the Friday of the preceding week and notify his probation officer immediately of any change.

Handwritten notes: on the Friday of the preceding week and notify his probation officer immediately of any change.

**Advice of Penalties and Sanctions**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

While on release, if you commit a federal felony offense, the punishment is an additional prison term of not more than ten years; if you commit a federal misdemeanor offense, the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) any other sentence you receive.

It is a crime punishable by up to ten years of imprisonment and a \$250,000 fine or both to: obstruct a criminal investigation; tamper with a witness, victim or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

*[Handwritten Signature]*

Signature of Defendant

[Redacted Address]

Address

[Redacted City and State]

City and State

Telephone

[Redacted Telephone Number]

**Directions to United States Marshal**

- The defendant is ORDERED released after processing.
- The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 2/19/2021

*[Handwritten Signature]*

Signature of Judicial Officer

CHRISTOPHER C. BLY, U.S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

FILED IN OPEN COURT  
U.S.D.C. - Atlanta

# UNITED STATES DISTRICT COURT

for the

Northern District of Georgia

FEB 19 2021

JAMES N. HATTEN, Clerk  
By: *[Signature]* Deputy Clerk

United States of America )

v. )

Verden Andrew Nalley )

Case No.

1:21-MJ-151-CCB

*Defendant* )

## APPEARANCE BOND

### Defendant's Agreement

I, VERDEN ANDREW NALLEY (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ( X ) to appear for court proceedings;
- ( X ) if convicted, to surrender to serve a sentence that the court may impose; or
- ( X ) to comply with all conditions set forth in the Order Setting Conditions of Release.

### Type of Bond

- ( ) (1) This is a personal recognizance bond.
- ( X ) (2) This is an unsecured bond of \$ 10,000
- ( ) (3) This is a secured bond of \$ \_\_\_\_\_, secured by:
  - ( ) (a) \$ \_\_\_\_\_, in cash deposited with the court.
  - ( ) (b) the agreement of the defendant and each surety to forfeit the following cash or other property  
*(describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value):*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
If this bond is secured by real property, documents to protect the secured interest may be filed of record.
  - ( ) (c) a bail bond with a solvent surety *(attach a copy of the bail bond, or describe it and identify the surety):*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Forfeiture or Release of the Bond

**Forfeiture of the Bond.** This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

**Release of the Bond.** The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

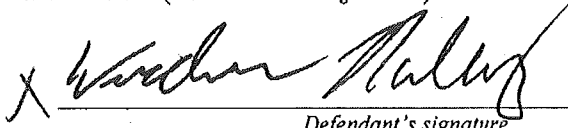
**Declarations**

*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

*Acceptance.* I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond. I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 2/19/2021

X   
 Defendant's signature

(1) Surety/property owner – printed name	(1) Surety/property owner – signature and date
(1) Surety/property owner's address	(1) Surety/property owner's city/state/zip
(2) Surety/property owner – printed name	(2) Surety/property owner – signature and date
(2) Surety/property owner's address	(2) Surety/property owner's city/state/zip
(3) Surety/property owner – printed name	(3) Surety/property owner – signature and date
(3) Surety/property owner's address	(3) Surety/property owner's city/state/zip


CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

APPROVED

Date: 2/19/2021

  
 Signature, United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA        )  
  )  
v.                                        )       Case No. 1:21-cr-000116  
  )  
WILLIAM MCCALL CALHOUN, JR    )  
  )  
      Defendant.                    )

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DEFENDANT’S OPPOSITION TO THE GOVERNMENT’S BASIS FOR  
DETENTION UNDER 18 U.S. CODE SECTION 1342(f)

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EXHIBIT 2 – Evidence of Defendant Not Avoiding Arrest

(Defendant’s Exhibits 3, 4 & 5 – ECF Doc. No. 9-2, Case No. 5:21-mj-00008-CHW)

tabbles  
DEFENDANT'S  
EXHIBIT  
3

~~AFFIDAVIT OF MELANIE BARNES~~

My name is Melanie Barnes. I am of sound mind, and swear that the following is a true statement, and based upon personal knowledge and personal observation.

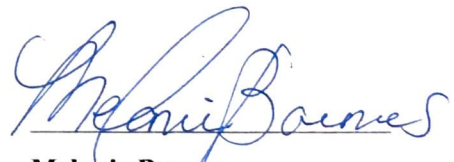
I know McCall Calhoun as an attorney practicing in Americus, GA, who handles criminal cases. I worked as his secretary up until just a few days ago. I was working as his secretary during the period between January 6 and January 12th, 2021. My duties included answering the telephone, checking and responding to voicemail messages on the office phone, and checking the office email.

After January 6, 2021, the office received phone calls from people who said hateful and threatening things to and about Mr. Calhoun. The office also received similar voicemail messages and emails. The voicemails and emails were saved as part of the routine way we ran the office. On January 7th, 2021, as I was leaving the office, a man came to the office and asked if Mr. Calhoun was there. I told him he was not, and the man asked when he would be back. The man was not a client of Mr. Calhoun's and I did not otherwise recognize him. I told him I did not know when Mr. Calhoun would return and I left.

I spoke with Mr. Calhoun's sister 3 times during the week of January 11-15, 2021, and each time I spoke with her she stated that Mr. Calhoun had been in and out of the office.

I, Melanie Barnes, once again swear that the information in my sworn statement above is accurate and based upon my own personal observation.

I so swear, this 20<sup>th</sup> day of January, 2021.

  
Melanie Barnes

**GEORGIA NOTARY ACKNOWLEDGMENT**

State of Georgia, County of Sumter

X Personally Known                      \_\_\_\_\_ Produced Identification

Type and # of ID \_\_\_\_\_ (Seal)

Bobby Hancock-Harris

(Signature Notary)

Bobby Hancock-Harris

(Name of Notary Typed, Stamped or Printed)

Notary Public, State of Georgia

Notary Public - Sumter County, Georgia  
My Commission Expires October 30, 2021





AFFIDAVIT

GEORGIA, SUMTER COUNTY

Now comes Todd Hampton and deposes and says the following:

I am an attorney in the Public Defender's office in the Southwestern Judicial Circuit in Georgia.

On January 13, 2021, I was present in Superior Court in Sumter County for the call of the Court's criminal calendar.


Also present that day was attorney McCall Calhoun, who represented certain individuals with cases on the calendar.

This statement herein is true and accurate based on my personal knowledge, information, and belief.

FURTHER DEPONENT SAYETH NOT.

X  \_\_\_\_\_

Sworn to and subscribed before me,  
this 19 day of January, 2021.

  
\_\_\_\_\_  
NOTARY PUBLIC

Notary Public - Sumter County, Georgia  
My Commission Expires May 9, 2022

AFFIDAVIT OF BETSEY L. TATE

Personally appearing before the undersigned officer authorized to administer oaths, Betsey L. Tate, who being duly sworn, states and deposes as follows:

1. I am of sound mind and am over the age of 18. I swear that the following statements are true and are based upon my personal knowledge and observations.
2. I am an attorney licensed to practice law in the State of Georgia (Bar no. 401088).
3. I work as an Assistant Public Defender in the Office of the Circuit Public Defender, Southwestern Judicial Circuit, in Americus, Georgia.
4. I know McCall Calhoun as an attorney in private practice in Americus, Georgia. I have seen McCall Calhoun in the Sumter County Superior Court on numerous occasions and am aware, based on those observations, that he represents criminal defendants.
5. I was at the Sumter County Courthouse on Wednesday, January 13, 2021, where I appeared before Superior Court Judge Jimmie H. Brown.
6. Numerous criminal defendants were scheduled for hearings on that day, including at least two defendants represented by McCall Calhoun.
7. I saw McCall Calhoun in court on January 13, 2021 and witnessed him answer the calendar call for his clients.

  
Betsey L. Tate

Sworn to and subscribed before me,  
this 19<sup>th</sup> day of January, 2021.



My commission expires Sept 24 2022

