

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

COBB COUNTY, GA  
FILED IN OFFICE

06 OCT 26 PM 3:43

*Jay L. Johnson*

COBB SUPERIOR COURT CLERK

\*  
In re: Cobb County Special Grand Jury \*

CASE NO. 05-1-8242

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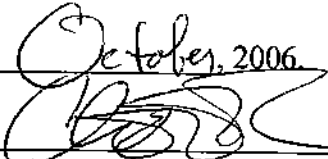
**STATE'S REQUEST FOR INSTRUCTION  
TO THE SPECIAL GRAND JURY**

NOW COMES THE STATE OF GEORGIA, by and through the undersigned Assistant District Attorney for the Cobb Judicial Circuit, and respectfully requests that the Court instruct the special grand jury with the following:

If any person who comes to testify before you elects to exercise his or her privilege against self-incrimination, as provided by the 5<sup>th</sup> Amendment to the United States Constitution and Article 1 Section 1 paragraph 16 of the Georgia Constitution, either completely or in response to any question, no inference from that election shall be drawn by the grand jury, nor shall such fact be held against that person (or any other person) in any way.

Similarly, if any person who has already come to testify before you elected to exercise his or her privilege against self-incrimination, as provided by the 5<sup>th</sup> Amendment to the United States Constitution and Article 1 Section 1 paragraph 16 of the Georgia Constitution, either completely or in response to any question, no inference from that election shall be drawn by the grand jury, nor shall such fact be held against that person (or any other person) in any way.

RESPECTFULLY SUBMITTED this 26<sup>th</sup> day of October, 2006

  
Christopher W. Timmons  
Assistant District Attorney  
Cobb Judicial Circuit, Georgia