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

STATE OF GEORGIA	)
	) INDICTMENT 17SC153902
ν.	)
	) JUDGE MCBURNEY
CLAUD "TEX" MCIVER III	)

## ORDER CONTINUING AND SPECIALLY RE-SETTING TRIAL

In April 2017, Defendant was indicted for the intentional shooting death of his wife.<sup>1</sup> On 12 June 2017, the Court specially set the case for trial to begin on 30 October 2017. This was a date both parties proclaimed was reasonable, despite the manner in which this case has been litigated. Too recently, the State belatedly produced in excess of 80,000 e-mails associated with accounts used by the victim. As the defense team has rightly observed, this delayed disclosure -- coupled with the independent review team's schedule for assessing whether any of the information seized from Defendant's Fulton County residence or the victim's storage unit is privileged -necessitates a continuance to ensure that both sides have sufficient time to review the evidence and prepare for trial. Trial of this case is therefore specially re-set for 5 March 2018. All counsel who intend to be involved should clear their calendars from 26 February 2018 onwards, as some aspects of jury selection may occur during that preceding week.

 $<sup>^{\</sup>rm 1}$  That indictment, 17SC151319, has since been superseded by the indictment listed in the style of the case above.

Given the causes of this continuance it is, as the State acknowledges, appropriate to reconsider the question of bail. In a separate order to be issued today, the Court will establish the terms of release for Defendant. Additionally, a more detailed scheduling order that establishes deadlines for various outstanding pre-trial matters will be forthcoming.

SO ORDERED this 18th day of October 2017.

Judge Robert C.I. McBurney

Superior Court of Fulton County Atlanta Judicial Circuit

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