

IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA

FILED IN OFFICE
ATHENS-CLARKE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

NIGEL BURKE BROWN,
DEFENDANT.

CRIMINAL CASE NO.:
SU-22-CR-0739-H

2023 JUN 13 PM 2:29

CHARGE(S):
Rape.
False Imprisonment.
Aggravated Sodomy.
Criminal Trespass.

CLERK OF COURTS
SUPERIOR/STATE

JB DOCKET INITIALS

MOTION TO SET ASIDE NOLLE PROSEQUI

Comes now the State of Georgia, by and through Deborah Gonzalez, District Attorney, Western Judicial Circuit, and moves to set aside the Nolle Prosequi filed on May 2, 2023 in the above-referenced case on the following grounds:

The Nolle Prosequi was sought in this case because the victim was unavailable at the time of trial, and without whose testimony, the State would have been at a disadvantage in meeting its burden of proving the charges beyond a reasonable doubt. The victim is now available and willing to cooperate in the trial process. This case did have a motion for speedy trial filed on February 20, 2023 and we are asking for it to be placed on the next available calendar that comply with the statutory deadlines.

This the 13th day of June, 2023.

Deborah Gonzalez

Deborah Gonzalez
District Attorney
Western Judicial Circuit

ORDER

On motion of the State of Georgia, the motion is granted and this Order of Set Aside of Nolle Prosequi entered.

This the 13th day of June, 2023.

Judge, Superior Court
CLARKE COUNTY, GEORGIA
WESTERN JUDICIAL CIRCUIT

