

IN THE SUPERIOR COURT OF HART COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA,	)	CRIMINAL WARRANT:
	)	21-12421FW
v.	)	21-12422FW
	)	21-12423FW
JEREMY LEORNARD GREEN,	)	21-12424FW
	)	21-12425FW
Defendant.	)	
<hr/>		BOND HEARING

Transcript of the Bond Hearing  
Heard before the HONORABLE HARVEY WASSERMAN, Judge,  
Superior Court of Hartwell County, Hart, Georgia  
June 24, 2021  
Time Noted 9:30 a.m.

**APPEARANCES:**

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PROCEEDINGS

MR. WHITE: Your Honor, this is Jeremy Leonard Green. He goes by "Bob".

MS. TOMLINSON: That's not -- yes, it is. I couldn't see him clearly.

THE COURT: I'm going to call the case of Jeremy Leonard Green case number 21HW302.

MS. TOMLINSON: Can you hear Mr. Green?

DEFENDANT: I'm here. Yes, ma'am.

MS. TOMLINSON: Can you hear Judge Wasserman?

DEFENDANT: Yes, ma'am.

THE COURT: All right. Listen, just before we get started, I've advised your attorney but Mr. Green -- I'm the judge who reviewed and signed the search warrants in your case.

DEFENDANT: Yes, Your Honor.

THE COURT: If you think you'd rather have another judge rule on your bond, I would understand that.

MS. TOMLINSON: And, Your Honor, I've considered it. While I don't know what was in the search warrants, I think this Court can set that aside and consider the bond without --

THE COURT: I cannot.

MS. TOMLINSON: You cannot?

THE COURT: No.

MR. WHITE: What?

THE COURT: I've read the search warrants.

1 MR. WHITE: Yes, Your Honor, that doesn't disqualify  
2 you from considering matters of bond. I don't even believe it  
3 would disqualify you from presiding over the trial or the case.  
4 It would only disqualify you from presiding over the issue of  
5 whether or not a motion to suppress should be granted.

6 THE COURT: All right. But Ms -- Ms. --

7 MS. TOMLINSON: But I don't know what -- I don't know  
8 what's in the search warrants. I don't know -- I don't have  
9 information that the judge does.

10 THE COURT: Well, I suspect the information that's  
11 going to be presented here will be the same as what I heard and  
12 read in the search warrants.

13 MR. WHITE: In full disclosure, Your Honor, Mr. Green  
14 is the brother of Anna Cleveland who previously worked in the  
15 District Attorney's Office. She hasn't worked for the District  
16 Attorney's Office for some time.

17 This case is one in which Mr. Green is charged  
18 with criminal attempt to commit sexual exploitation of  
19 children for soliciting the production of images of the  
20 juvenile's genitals.

21 He's charged with statutory rape, child molestation,  
22 enticing a child for indecent purposes, sodomy, which will be  
23 upgraded to aggravated child molestation when we take this to  
24 indictment.

25 This involves Mr. Greene who was a gymnastics

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1 instructor at the YMCA here in Hart County back in 2007, 2008,  
2 began grooming a 12-year-old who was one of his gymnastics  
3 students. And begin touching her in a sexual manner, and then,  
4 began soliciting images and communicating with her in a sexual  
5 manner over a phone.

6 He did solicit her for sexual images  
7 subsequently -- after they began to engage in sexual acts such  
8 as sodomy by him placing his mouth on her genitals. Her  
9 placing her mouth on his genitals at his request. This all  
10 began when she was 12.

11 At 14, he lured her from her home where he  
12 engaged in sexual intercourse with this juvenile. He is 36.  
13 This began when she was 12. He went on active duty in the  
14 United States Army, and when he returned from his army duty, or  
15 every time he was on leave -- and we are getting those records  
16 from the United States Army right now to get the exact dates.

17 He would engage in sexual intercourse with Miss  
18 J.C., a victim in the case. This was investigated once before  
19 by the Hart County Sheriff's Office when the brother of Miss  
20 J.C. reported to her parents that he observed Mr. Green on a  
21 recliner in their living room with J.C. on his lap with his  
22 hand down her pants. That was reported to law enforcement.  
23 The forensic interview was done by Sherman Payne, but Miss J.C.  
24 did not disclose at that time that anything had happened.

25 What alerted parents was -- their suspicions

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1 regarding this relationship was that J.C. moved out of their  
2 home at the point that she turned 18. She moved in with her  
3 godmother. A couple months after that she moved in with  
4 Mr. Green. Other people observed that she seemed to be quite  
5 young including Jonathan Merck a good friend of Mr. Green.  
6 They serve together. Saying that it was surprising how young  
7 she was.

8           They did become engaged at one point. After she  
9 had lived with him for one year, Miss J.C. began -- her  
10 suspicions were raised regarding Mr. Green and this lustful  
11 disposition towards children when she observed his interactions  
12 with other minors and realized what had happened to her was not  
13 a consensual loving relationship. It was actually predatory in  
14 nature and him taking advantage of her and seducing her at the  
15 age of 12 was wrong.

16           She moved out of the house. She just delayed  
17 disclosure of the relationship still. She finally came forward  
18 and reported to her parents what actually happened. We have  
19 additional warrants today for kidnapping, and aggravated sexual  
20 battery from another person who came forward who was also at  
21 the YMCA with Mr. Greene. Who at the age of -- it turns out  
22 she was 16. He had taken her into the locker room during a  
23 sleepover at the YMCA and exposed her breast and kissed them  
24 and invited her later on to his house and carried her from the  
25 living room to the bedroom against her will and digitally

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1 penetrated her in this bedroom.

2           However, we're going to have to dismiss these  
3 warrants today, unfortunately. The did occur in 2008 and the  
4 victim was already the age of 16, which means the statute of  
5 limitations has run for those offenses. However, we will be  
6 attempting to use those as other act evidence in this case.

7           The reason we oppose a bond right now in  
8 particular is that more victims have come forward. More  
9 witnesses of come forward. And we believe that Mr. Green if  
10 released would pose a likelihood of interfering with this  
11 investigation.

12           In particular because the primary victim --  
13 according to the primary victim J.C., Mr. Green historically  
14 made her destroy all the phones that she had used to  
15 communicate with him when she was under the age of consent.  
16 And forced her to delete other records that indicated their  
17 communications prior to the age of consent, which we believe  
18 shows a likelihood to interfere with -- she's already destroyed  
19 evidence.

20           We believe it's likely he would continue to  
21 interfere with witnesses, discourage them from coming forward,  
22 contact other witnesses, and request that they did not disclose  
23 information to law enforcement. For that reason, we are asking  
24 the Court at this time to deny his bond and to keep him in jail  
25 at least until the investigation can be concluded.

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1 J.C. the primary victim is present in court  
2 today. Ma'am, could you stand up? She has been advised she  
3 has the right to address the Court if she so chooses. She does  
4 not indicate she wants to address the Court at this time.

5 However, she has indicated that she would be  
6 scared if he was released from jail. That he might attempt to  
7 hurt her, to prevent her from being able to testify in a trial  
8 of this case. So for those reasons, we would ask the Court at  
9 this time to deny Mr. Green's bond.

10 THE COURT: What was the most recent act that we know  
11 he's --

12 MR. WHITE: Miss J.C. is now 20.

13 THE COURT: Right.

14 MR. WHITE: I don't know what the most recent act is  
15 because she moved out of the house when she turned 18. But  
16 Miss J.C. has observed him behaving in a manner that suggested  
17 to her that he still harbored a lustful disposition towards  
18 children as recently as last year, which is the reason she left  
19 his household.

20 Our concern again is the destruction of evidence  
21 in this case, and the fact that we have additional witnesses  
22 who have contacted the GBI and the lead investigator who are  
23 coming forward to provide additional information. We don't  
24 know how long it's going take to get all those people  
25 questioned, but we do believe that at this time, it would be a

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1 risk to this investigation if he were released on bond.

2 THE COURT: And can you be a little more specific  
3 about what J.C. saw that led her to believe he was continuing  
4 this behavior?

5 MR. WHITE: Mr. Coveney might be able to address  
6 that.

7 MR. COVENEY: Yes, Your Honor, she observed messages  
8 on his cell phone on an application that was on that phone with  
9 an individual who from the context of the messages she was able  
10 to determine she still lived at home with her parents. Which  
11 led her to believe that that person was under age and that  
12 those messages were flirtatious and sexual in nature.

13 MS. TOMLINSON: And I would object to any speculation  
14 about the age of someone in this day and age still living with  
15 their parents. That's not indicative of anything other than  
16 living with your parents.

17 THE COURT: Okay. Ms. Tomlinson.

18 MS. TOMLINSON: Your Honor, we do have some character  
19 -- or some witnesses to come and speak to the Court about  
20 Mr. Green.

21 THE COURT: Okay.

22 MS. TOMLINSON: I think that will address the issues  
23 that the Court needs to address as it relates to bond. The  
24 Court can -- and I feel the need to respond just a little bit  
25 to what's been. The Court can place any conditions on that

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1 bond the Court deems appropriate. But these offenses as they  
2 stand right now are all bondable offenses.

3 MR. WHITE: All offenses are bondable.

4 MS. TOMLINSON: They are -- the burden does not shift  
5 to the defendant. They are not --

6 MR. WHITE: the burden of persuasion of the bond  
7 hearing is on the defendant.

8 THE COURT: Let her talk, Mr. White.

9 MR. WHITE: Yes, Your Honor.

10 MS. TOMLINSON: The magistrate could have set bond on  
11 these charges.

12 MR. WHITE: No, he couldn't.

13 THE COURT: Mr. White.

14 MS. TOMLINSON: He was not charged with aggravated  
15 child molestation.

16 THE COURT: Hang on. Hang on.

17 MS. TOMLINSON: He was not charged with aggravated  
18 child molestation, Mr. White.

19 THE COURT: Hang on.

20 MS. TOMLINSON: He was charged with sodomy.

21 THE COURT: Stop. Let's have it when it is time.  
22 Mr. White let her say whatever she wants. She can say the sky  
23 is falling and you can respond to whatever she says.

24 MR. WHITE: Yes, sir.

25 MS. TOMLINSON: The offenses -- the warrants that

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1 were taken last week which are the ones presently before the  
2 Court. The most recent warrants are being dismissed because of  
3 the statute of limitations. Those warrants -- to my  
4 understanding were all bondable by the magistrate and or all  
5 bondable by this Court.

6 At some point, there becomes a shift where there  
7 is not a presumption of bond is always appropriate. We are  
8 asking the Court to grant this man a bond. There's no evidence  
9 that he has offered violence to anyone related to anything.  
10 The Court can place any conditions on him that the Court  
11 chooses. Vague threat of harm, physical violence is what I'm  
12 speaking of in harm that might happen has not been  
13 substantiated by anything offered at this point.

14 I would ask to call our two witnesses. But at  
15 this point, I'm going to ask Mr. Green's family if y'all would  
16 stand up. I'm not sure if the Court -- there are -- his  
17 brother, his mother, his sisters, stepfather and father are all  
18 here in his support. He has community ties. But I have two  
19 preachers here to come and speak if the Court is willing to  
20 hear that.

21 THE COURT: Who are all these other folks in the  
22 courtroom? Is anybody here also have an interest in this case?

23 MRS. COBB: Yes, Your Honor, I'm the mother of J.C.  
24 and this is her father.

25 THE COURT: Okay.

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1 MS. TOMLINSON: And I've got two pastors and a family  
2 friend who are also present.

3 THE COURT: Okay. I'll hear from your witnesses.

4 MS. TOMLINSON: Reverend Gary McCurley. Would you  
5 like him at the witness stand, Your Honor?

6 THE COURT: I think so.

7 MS. TOMLINSON: If you would, come to the witness  
8 stand over here Reverend. Where the Bailiff is.

9 THE COURT: Sir, you can pull your mask down while  
10 you're testifying.

11 THE WITNESS: Thank you.

12 THE COURT: Do you swear or affirm by the penalties  
13 of perjury that the testimony you are about to give will be the  
14 truth, the whole truth, and nothing but the truth?

15 THE WITNESS: Yes.

16 THE COURT: Please state and spell your name for the  
17 record.

18 THE WITNESS: I'm Gary McCurley. G-A-R-Y  
19 M-C-C-U-R-L-E-Y. I am executive pastor at Encounter Church.

20 THE COURT: Nice to meet you.

21 MS. TOMLINSON: And your title is Reverend? Shall I  
22 refer to you as Reverend McCurley?

23 THE WITNESS: That would be all right.

24 DIRECT EXAMINATION

25 BY MS. TOMLINSON:

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1 Q. Do you know of the young man who's here on the video  
2 Mr. Green?

3 A. I have known him for years. Many years.

4 Q. You've heard what's been said in this courtroom; is  
5 that correct?

6 A. Yes.

7 Q. Do you have an opinion about his character in the  
8 community?

9 A. No. I have always found him to be honorable, to have  
10 integrity. In my dealings, I -- I -- he's very teachable. And  
11 in my dealings, he's been very upright.

12 Q. And other than the time that he spent in the  
13 military, do you know of any other place he has lived other  
14 than Hartwell?

15 A. I don't believe so.

16 Q. He's been a constant member of the congregation where  
17 you are?

18 A. Yes.

19 Q. Whether that's Encounter or a previous name for that  
20 church?

21 A. We were originally good Shepherd Fellowship.

22 Q. Do you know if he owns property in the county?

23 A. Yes. Yes. He bought his house -- I don't know how  
24 long ago, but I remember that. And we always had that kind of  
25 relationship, you know, he would let me know what was going on

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1 job wise, what was going on financially, and always very open  
2 and honest with me.

3 Q. To your knowledge, he has always been employed  
4 somewhere doing something?

5 A. Yes.

6 MS. TOMLINSON: I think that's all the questions that  
7 I have.

8 CROSS-EXAMINATION

9 BY MR. WHITE:

10 Q. Would it change your opinion of his character if you  
11 were to learn that he was engaging in sexual acts with a  
12 12-year-old?

13 A. Prior experience, I would say, no.

14 Q. That wouldn't change your opinion as to his  
15 character? You don't think it's a -- only a person of bad  
16 character would engage in sex acts with a 12-year-old?

17 A. Not until something's been proved.

18 Q. That's not what I'm asking. I'm asking if this is  
19 established, if this is true would that change your opinion?

20 A. I don't think so.

21 Q. Would it change your opinion of him if you learn that  
22 he destroyed evidence in the case and has directed the victim  
23 to destroy evidence? Isn't that just deceptive?

24 A. I have a hard time believing that that would be  
25 possible.

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1 Q. I understand, sir. I'm just asking if that --

2 A. No.

3 Q. -- were the case.

4 A. It would not change.

5 Q. Okay. And if you learned that during conversations,  
6 that the victim had with him -- you do know that she moved in  
7 with him when she was 18?

8 A. Yes. In fact he approached me about the marriage,  
9 and we were actually going to set up premarital counseling and  
10 everything so I'm very aware of all that.

11 Q. Okay. Were you aware that when she tried to discuss  
12 why it began when she was 12, he would order her to make sure  
13 there were no cell phones present in the room when they were  
14 having any sort of discussion -- because -- to prevent her --  
15 him from possibly being reported, would that affect your  
16 opinion in anyway? And it's okay if it doesn't? I'm just  
17 curious.

18 A. No. No, not at this point, no it doesn't.

19 MR. WHITE: Thank you, sir, I appreciate it.

20 EXAMINATION

21 BY THE COURT:

22 Q. Sir, did you ever meet J.C. before she moved into  
23 Mr. Green's house?

24 A. I believe I possibly did.

25 Q. Where would that have been?

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1 A. That would be at church.

2 Q. Was she under age at the time?

3 A. I do not know. I don't know.

4 Q. How long has he been a member of your church?

5 A. I came in 1993, and he was there then. So it's been  
6 a long time. A lot of relationship with him.

7 Q. Did he ever discuss his romantic relationships with  
8 you?

9 A. I would have to say that I observed him coming up  
10 through the youth and what ever. But he always seemed to  
11 handle himself with honor with every situation. There's always  
12 possibilities and opportunities when you have a youth group for  
13 things to happen, and I never observed anything that was out of  
14 the ordinary.

15 Q. He was a mentor of the youth group?

16 A. No, he was just a part of it.

17 Q. He wasn't a youth. He was what one of the --

18 A. No. He would have been one of the youth. Yes.

19 Q. He would have been one of the youth?

20 A. Yes.

21 Q. How old?

22 A. Like I said, I've watched him grow up.

23 Q. Okay.

24 A. I mean, we had that much relationship. and he's --  
25 like I said, he's always been very open and honest and shared

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1 very intimate things with me.

2 Q. Did you actually start marital counseling with him  
3 and J.C.?

4 A. No. The relationship fell apart before that was able  
5 to start.

6 Q. Have you ever spoken to J.C. about her relationship  
7 with Mr. Green?

8 A. No. No.

9 THE COURT: Okay. That is all I have.

10 MS. TOMLINSON: Just one follow-up.

11 REDIRECT

12 BY MS. TOMLINSON:

13 Q. In the time that you have known Mr. Green, have you  
14 observed any behavior that would suggest physical violence  
15 being offered as a response to adverse situations?

16 A. No.

17 MS. TOMLINSON: Those are the questions I have.

18 THE COURT: Mr. White, do have anything further?

19 MR. WHITE: No. Thank you kindly, sir.

20 (THE WITNESS STEPS DOWN FROM THE WITNESS STAND.)

21 MS. TOMLINSON: Reverend Ryan Winnie.

22 (THE WITNESS TAKES THE WITNESS STAND.)

23 If you would raise your right hand. Do you  
24 swear or affirm the testimony you give in the matter pending  
25 before the court will be the truth, the whole truth and nothing

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1 but the truth so help you God or on your affirmation?

2 THE WITNESS: Yes.

3 MS. TOMLINSON: If you would pull the microphone a  
4 little bit closer.

5 DIRECT EXAMINATION

6 BY MS. TOMLINSON

7 Q. Would you state your name and spell it please?

8 A. Ryan R-Y-A-N Paul P-A-U-L Winne W-I-N-N-E.

9 Q. Where do you work?

10 A. I work at First Citizens Bank.

11 Q. Do you have any other role in this community?

12 A. I serve on a volunteer basis at Encounter Church as  
13 the senior pastor.

14 Q. Okay. And you are familiar with Jeremy Green?

15 A. Yes. We grew up together.

16 Q. Had you heard -- sorry?

17 A. We grew up together.

18 Q. And have you heard everything that's been going on in  
19 the courtroom about Mr. Green?

20 A. Yes.

21 Q. Do you have an opinion about his reputation in the  
22 community?

23 A. I grew up with Jeremy. I've known him essentially  
24 all my life. He's a little bit older than me, and he's been a  
25 friend. We grew up in church together. In my dealings with

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1 Jeremy, he's always been straight forward. A straight up and  
2 honest guy.

3 Q. Do you know if he owns property in the county?

4 A. Yeah. I forget the name of the road. It's Airline  
5 School Road, I believe.

6 Q. Have you always known him to be employed in some way  
7 or another?

8 A. Yes.

9 Q. Are you concerned that if he was released on bond  
10 that he would offer any sort of threat or violence to any  
11 person who might be involved in this investigation?

12 A. I'm not.

13 MS. TOMLINSON: I think those are all the questions  
14 that I have.

15 THE COURT: Mr. White.

16 CROSS-EXAMINATION

17 BY MR. WHITE:

18 Q. Would it change your opinion of Mr. Green if you were  
19 to learn that he would take an underage girl, J.C., to your  
20 church parking lot and engage in sex with her?

21 A. Seeing how that hasn't happened to my knowledge, it's  
22 hard for me to judge?

23 Q. I'm saying if you learned that to be true, would that  
24 change your opinion?

25 A. I don't want to make a call on something that I don't

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1 know to be true. I don't know how --

2 Q. That's what a hypothetical is. I'm asking you if  
3 that would affect you --

4 A. I don't want to get into hypothetical.

5 Q. Okay. If you were to learn that there was an illicit  
6 secret relationship that he kept secret from the world between  
7 he and a minor, would that affect your ability or would that  
8 change your opinion as to his character for truthfulness?

9 A. Again hypotheticals I don't think are necessary at  
10 this point in time. We don't know anything.

11 Q. These are allegations and these are charges?

12 A. Right.

13 Q. These are allegations. Understand.

14 A. And I'm saying he's innocent until proven guilty.

15 Q. That's not -- were not here to try the case?

16 A. Right. And that's --

17 Q. I'm asking you if these were true. If these were  
18 true. If these things are true --

19 A. I understand what you're asking me.

20 Q. Okay.

21 A. What I'm telling you is I don't want to try the case  
22 either.

23 Q. Yes, sir. All right. Thank you.

24 A. Do I think he's a threat? No. Will I love, respect,  
25 and value Jeremy regardless? Yes. That's what I'll say.

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1 MR. WHITE: I appreciate it. Thank you.

2 EXAMINATION

3 THE COURT: Sir, are you his best friend? Is that  
4 what you said?

5 A. No.

6 Q. Oh.

7 A. I wouldn't say best friend. But we're good friends.

8 Q. How often would you see or talk to him?

9 A. To be honest, in recent years, mainly at church on  
10 Sundays.

11 Q. Did he ever mention his relationship with any females  
12 to you?

13 A. Sure.

14 Q. Did he mention this gal that were here for today?

15 A. Sure. She has been to church before today.

16 Q. How old is she?

17 A. I don't know to be honest.

18 Q. Did she appear to be under age?

19 A. It was in the last year and a half or so I would say.

20 Q. How about before that?

21 A. Before that, I haven't seen her specifically around,  
22 no.

23 Q. Did he ever confide in you that he was having a  
24 relationship with her while she was under age?

25 A. No.

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1 Q. Okay. That's all I have.

2 MS. TOMLINSON: I don't have anything further.

3 THE COURT: Step down. Thank you, sir.

4 (WITNESS EXITS THE WITNESS STAND.)

5 MS. TOMLINSON: Those of the witnesses I have, Your  
6 Honor. As the state has presented the facts, I will -- in  
7 their place -- I will state that Mr. Green though he will not  
8 be able to go back to his employment because of these charges  
9 is lined up to go to work doing lawn maintenance. If the Court  
10 were to grant him a bond, he would go to his home on Airline  
11 Road which he owns and is paying a mortgage on.

12 His family is here. His mother was a longtime  
13 respected teacher in Hart County Schools. All of his ties are  
14 here in this community. If the Court wants to restrict him to  
15 his home and to his work that is certainly an option. He is --  
16 he did one tour in the Army. He is active Army Reserve and we  
17 are going to have to --

18 MR. WHITE: -- and we are contacting the Army as  
19 well.

20 MS. TOMLINSON: -- to take care of reporting that.  
21 If I can finish my thought, so they are aware because he is  
22 active reserve that may have some implications for him even  
23 being charged.

24 MR. WHITE: The Army is likely to recall him to  
25 active duty for the purposes of prosecuting him for the acts

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1 that occurred while he was on leave during his service. Under  
2 the UCMJ.

3 MS. TOMLINSON: Again if I could finish my proffer.  
4 His family are here. There are family and friends that are  
5 longtime members of this community and they are all here to let  
6 you know that he has no reason to leave. He's not -- the  
7 preacher says he has no history of offering violence.

8 If the Court restricts him to home and work,  
9 he'll figure out how to get groceries. That's all I can say.  
10 We would ask that you grant him a bond. I understand that this  
11 case is ongoing and the investigation is ongoing, but having  
12 him sit in the Hart County Jail while this develops is not a  
13 necessary remedy for the ongoing nature of the investigation.

14 THE COURT: What was his work that he's gonna have to  
15 lose?

16 MS. TOMLINSON: He was working with the local  
17 financial planning office, investment office and because of SEC  
18 regulations his employer can't -- has indicated he cannot  
19 continue to work there.

20 THE COURT: And what's his involvement with the YMCA?

21 MS. TOMLINSON: I believe he was a volunteer coach  
22 with the YMCA at some point.

23 THE COURT: Presently?

24 MR. WHITE: I don't know if he is presently,  
25 Your Honor.

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1 MS. TOMLINSON: No.

2 MR. WHITE: I know that he worked with  
3 Jonathan Merck's wife who was also working at the YMCA. She  
4 has expressed concern to the family of J.C. when she moved in  
5 with him when he was in his mid-30s and she just turned  
6 18 because that reminded her of the thing that she had observed  
7 between he and J.C. before that at sometimes seemed off. So  
8 like I said, it's a still ongoing investigation. That's our  
9 primary concern.

10 THE COURT: Does he have any record?

11 MR. WHITE: No, Your Honor.

12 THE COURT: How many other potentials have come  
13 forward?

14 MR. WHITE: We have an additional victim in the  
15 audience.

16 THE COURT: Is that the one you --

17 MR. WHITE: The warrants we had to dismiss, and I  
18 believe we have at least --

19 MR. COVENEY: Your Honor, there are two other  
20 individuals who are known to the  
21 Georgia Bureau of investigation who need to be formally  
22 interviewed. There are also several at least four and possibly  
23 more than that. Individuals that the GBI -- who are known by  
24 first name or a nickname, but we need to identify exactly who  
25 those individuals are, and then, make contact with them and

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1 interview them if possible.

2 MS. TOMLINSON: And I would suggest ongoing  
3 investigation is ongoing investigation. There is no evidence  
4 at this point to be presented related to these things. These  
5 names have not been provided to us, and we're just asking that  
6 he be released. The Court can restrict him to whatever spaces  
7 are appropriate. But remaining in jail is an excessive  
8 restriction under these circumstances.

9 THE COURT: How are these other leads coming to the  
10 GBI's attention? Why is it that all these people showing up  
11 now?

12 MR. WHITE: Because he's on the front page of the  
13 Hartwell Sun among other things.

14 MR. COVENEY: That and also witnesses who are -- who  
15 were interviewed as part of the investigation into J.C.'s  
16 allegations involve people who were at the YMCA at that time.  
17 Those people have made statements and some of those statements  
18 were: I observed activity between the defendant and some other  
19 person who I knew by this name.

20 So then -- that's as far as there are people  
21 who -- statements have been made by witnesses that the  
22 defendant engaged in sexual intercourse with a child who we  
23 know by a first name. And we don't know that persons full  
24 name, yet, so it's hearsay at this point.

25 THE COURT: Is the timeframe back to 2007, 2008?

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1 MR. COVENEY: I don't know that for certain. I think  
2 the timeframe certainly encompasses that time period. But it  
3 encompasses several years sooner than that as well.

4 THE COURT: You mean more recent?

5 MR. COVENEY: Yes, Your Honor.

6 MR. WHITE: All things involving J.C. were not that  
7 remote. These things were 2015.

8 MR. COVENEY: Yeah. It was concurrent with the J.C.  
9 allegation so I may have been wrong on that timeframe. It  
10 would be more recent.

11 THE COURT: The information J.C. saw on the phone  
12 about a young girl, has that person been contacted?

13 MR. WHITE: We have processed the phone records and  
14 there were -- phone records have been processed that would  
15 corroborate J.C.'s account including indications where she says  
16 we've been together for seven years in the messages. Which is  
17 acknowledged by Mr. Green that were -- we are using the phone  
18 right now to try to obtain additional -- identify other  
19 individuals to interview.

20 MS. TOMLINSON: And, Your Honor, I would point out  
21 there is no evidence it was a young girl. There was evidence  
22 that it was someone still living at her parents home, which  
23 could be of any age. But I object to the assumptions at this  
24 point. The assumptions and the inferences are not grounded in  
25 hard data, and that would be my objection.

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1                   This is the kind of case where inferences and  
2 assumptions are freely engaged in, but there needs to be data  
3 and facts behind those assumptions. I understand the State's  
4 early in their investigation and their characterization, but  
5 warrants were taken and we're asking for a bond on these  
6 charges.

7                   MR. WHITE: And I would also point out one of reasons  
8 we don't have more hard evidence right now is because he  
9 destroyed it or he ordered it to be destroyed.

10                  THE COURT: So under the Ayala factors, which you are  
11 saying -- which ones do you think disqualify him from a bond?

12                  MR. WHITE: The possibility of interfering --  
13 frustrating the administration of justice because he's already  
14 destroyed or ordered evidence to be destroyed or to intimidate  
15 witnesses, contact people he knows that might have information  
16 and discourage them from disclosing information to the  
17 authorities.

18                  Bear in mind, this is the kind of thing he kept  
19 secret from everybody and had this young girl keep secret from  
20 her parents and the world for years. He even kept it secret  
21 from them after she moved in with him. And that she had a very  
22 strange relationship with them until such time as she left his  
23 house and move back into her own family home.

24                  He also prevented her from disclosing when she  
25 was initially forensically interviewed when she was a child,

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1 which is corroboration. We have an eyewitness who saw this  
2 victim at 11 or 12 sitting on his lap with his hand down her  
3 pants.

4 MS. TOMLINSON: And I would suggest that at the  
5 forensic interview my client was not present. It took place  
6 outside of his presence, and he had no control over that.

7 THE COURT: Is J.C. still the courtroom?

8 MR. WHITE: Yes, Your Honor.

9 THE COURT: Where is she?

10 MR. WHITE: Right here.

11 THE COURT: Ma'am, would you mind coming up and  
12 talking to me for a few moments?

13 (J.C. TAKES THE WITNESS STAND.)

14 EXAMINATION

15 THE COURT: Raise your right. Do you swear or affirm  
16 by the penalties of perjury that the testimony you're about to  
17 give is the truth, the whole truth, and nothing, but the truth?

18 THE WITNESS: I do.

19 BY THE COURT:

20 Q. Look, I'm not here to embarrass you. Mr. White  
21 indicated that you would feel in fear or threatened if  
22 Mr. Green was released.

23 A. Yes.

24 Q. Why would you feel that way? Speak a little louder.

25 THE COURT: Did I swear her in?

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1 MS. TOMLINSON: You swore her in. I would just ask  
2 if her name is the same name as listed in the warrants. If we  
3 have warrants for her to look at. I know that we want to keep  
4 her name from being disclosed publicly.

5 BY THE COURT:

6 Q. Are you the same name that Mr. White has been talking  
7 about in terms of the relationship with Mr. Green?

8 A. Yes, sir.

9 Q. Why would you feel in fear if he was released from  
10 jail?

11 A. (In audible.)

12 Q. Keep your voice up.

13 A. I don't just worry about myself I worry about other  
14 girls. Like the lawn maintenance that you're talking about. I  
15 worry about the kids living there because those are kids that I  
16 witnessed him touching inappropriately and playing with. He  
17 was always trying to get the younger son -- he was also trying  
18 to get the younger son of Clifford that he worked with for lawn  
19 maintenance to come spend the night at his house by himself.  
20 So I just think about things like that. Think about other  
21 kids.

22 Q. When did you witness this stuff?

23 A. This would be 2019.

24 Q. He was doing lawn maintenance then?

25 A. I believe so.

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1 Q. And what did you see? What did you witness?

2 A. How I went over there a few times to his -- the guy,  
3 his name is Clifford that he did lawn with. There were several  
4 times I went to his house when he was playing and touching with  
5 a girl. She was like 11 or 12. I can't remember her name.

6 Q. Who was touching her?

7 A. Jeremy, "Bob" was. And I even pointed it out to him,  
8 and I would try to ask him not to go over there if she was  
9 there because I didn't want him to be around her. And the  
10 younger son Gabriel, he seemed -- "Bob" (Mr. Green) really  
11 seemed to be infatuated with Gab. There was one time that  
12 Clifford and his wife came over to the house with their kids.  
13 They were doing a Rainbow vacuum show and the way that he had  
14 the younger son, Gabriel, sitting in his lap. How he was  
15 holding his legs and smelling the back of his neck that's not  
16 normal. So I don't think it would be a great idea for him to  
17 go back and work with those same people.

18 Q. You're not saying this because your jealous, right?  
19 That you broke up with him?

20 A. No, Your Honor. The only reason I'm speaking is  
21 because I don't want this to happen to anybody else.

22 THE COURT: The lawyers may have some questions for  
23 you. I'm sorry, but this is a very serious case.

24 THE WITNESS: Yes, Your Honor.

25 THE COURT: And I'm trying to do what's right. So

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1 Ms. Tomlinson and Mr. White may have questions for you. Based  
2 on what I've asked.

3 MR. WHITE: I don't have any questions, Your Honor.

4 MS. TOMLINSON: So only based on what you've asked;  
5 is that correct?

6 THE COURT: Yes. This is not going to be discovery.  
7 But you can certainly cover what I covered with her.

8 CROSS-EXAMINATION

9 BY MS. TOMLINSON:

10 Q. How many times did you go over to Clifford's house  
11 and see what you observed to be upsetting?

12 A. I would say at least about seven times.

13 Q. But the lawn maintenance is done at other homes?

14 A. It's Clifford's company, so he goes to other people's  
15 houses and cuts their yards.

16 DEFENDANT: Those are all the questions that I have.

17 THE COURT: Please, step down. Thank you.

18 (THE WITNESS STEPS DOWN FROM THE WITNESS STAND.)

19 Does he live by himself?

20 MS. TOMLINSON: He does.

21 THE COURT: Does he have a mortgage?

22 MS. TOMLINSON: He does.

23 THE COURT: Do you know how much it is?

24 MS. TOMLINSON: I don't remember how much his  
25 mortgage is. But he does have a mortgage. And I think his

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1 family would help him as necessary, but they have limited means  
2 as well.

3 THE COURT: Is he a lifelong resident? Mr. Green?

4 MS. TOMLINSON: Yes. As I said his mama was a  
5 teacher at the local high school forever. And she was one of  
6 the favorite teachers I am told.

7 THE COURT: Does he have a cell phone?

8 MR. WHITE: It is in the custody of the GBI.

9 MS. TOMLINSON: Not anymore.

10 THE COURT: All right. Mr. White, as you know  
11 there's a constitutional right to bail. I'm looking at the  
12 factors.

13 MR. WHITE: There is a constitutional prohibition  
14 against excessive bails, yes, Your Honor.

15 THE COURT: Okay. I'm going to grant him a bond in  
16 the amount of \$250,000, ankle monitor, complete house arrest,  
17 no phone.

18 MS. TOMLINSON: May I? If he got a landline with  
19 that be okay?

20 THE COURT: No phone.

21 MS. TOMLINSON: No phone.

22 THE COURT: No phone.

23 MS. TOMLINSON: No phone. Okay.

24 THE COURT: Does he need one for the ankle monitor?

25 MS. TOMLINSON: Yes.

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1 MR. WHITE: And also if he has to call 911 it is  
2 just --

3 THE COURT: All right. Landline. No cell phone.  
4 And that's my decision.

5 MR. WHITE: And no contact with the victim --

6 THE COURT: Of course. Yes.

7 MR. WHITE: -- and any witness in this case, Your  
8 Honor.

9 THE COURT: Of course. And a fourth amendment  
10 waiver.

11 MS. TOMLINSON: I would just -- just so we can make  
12 sure we avoid --

13 THE COURT: And that can't be a property bond. I  
14 want a commercial bond.

15 MS. TOMLINSON: Okay. Because of the things that  
16 have been raised here, I would suggest house arrest, but barred  
17 from contact with anyone he taught at the Y?

18 THE COURT: Yes.

19 MR. WHITE: Barred from contact with anyone at the Y.  
20 Okay.

21 THE COURT: Thank you.

22 MS. TOMLINSON: I just want to be clear because I  
23 don't want to set up any roadblocks if anybody tries to get in  
24 touch with him that they know that he is not able to do that.

25 MR. WHITE: We also ask that he has no firearms in

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1 the house. I know that's a big restriction on anybody's  
2 rights, but my concern is --

3 MS. TOMLINSON: They have been removed.

4 MR. WHITE: -- my biggest concern is that he is a  
5 service survivor. He potentially has PTSD. He's facing 25  
6 years without the possibility of parole. We don't want him  
7 hurting himself.

8 THE COURT: All right. No guns in the house.

9 MS. TOMLINSON: We have already remove them, and they  
10 are in a locked safe of another person of a family member.

11 THE COURT: All right. You know all I can say is as  
12 the investigation progresses either side -- I mean, he may get  
13 new charges. He may have other bonds if --

14 MS. TOMLINSON: Yes. We have discussed that it was  
15 ongoing --

16 THE COURT: Okay. All right. That is what I'm going  
17 to do for you for the time being Mr. Green. If your lawyer  
18 thinks at some point I should reconsider, she knows how to get  
19 this back in front of me. Okay.

20 MS. TOMLINSON: What I'll do Mr. Green is I'm going  
21 to get it going ahead and sign paperwork on your behalf and I  
22 will come over to the jail and go over with you.

23 DEFENDANT: Yes, ma'am.

24 THE COURT: All right.

25 MS. TOMLINSON: Thank you, Your Honor.

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C E R T I F I C A T E  
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STATE OF GEORGIA  
HART COUNTY

I, Courtney C. Howard, certified court reporter, do hereby certify that the foregoing motion's hearing was taken down, as stated in the caption; the colloquies, statements, questions, and answers thereto were reduced to typewriting under my direction and supervision; and the foregoing pages 1 through 34 represent a true, complete, and correct record of the testimony/evidence given.

I further certify that I am not a relative, nor employee of any of the parties nor am I financially interested in the action.

This 7th day of July, 2021.

*Courtney C. Howard*  
-----  
Courtney C. Howard, CCR, CVR  
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