

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

UNITED STATES	)	
	)	
v.	)	
	)	INDICTMENT NO.
CARLA JACKSON,	)	1:20-CR-00296-JPB-CMS-05
Defendant	)	
_____	)	

MOTION TO ADOPT CODEFENDANT TELDRIN FOSTER’S
“RESPONSE IN OPPOSITION” [DOC. NO. 914]

Comes now, Defendant Carla Jackson, by and through undersigned counsel, and hereby moves this Court to adopt codefendant Teldrin Foster’s “Response in Opposition” (Doc. No. 914). In support, Ms. Jackson shows the following.

Mr. Foster’s Response in Opposition (“Response”) (Doc. No. 914) is filed in opposition to the “United States Motion to Admit Evidence of Co-Defendant Guilty Pleas” (hereafter “Motion”) (Doc. No. 912). In its Motion, the Government seeks to introduce evidence of other co-defendants’ guilty pleas by arguing that Mr. Foster opened the door to introduction of such evidence during his cross-examination of Government witnesses.

Regarding Defendant Jackson, the Government asserts that the mention by Ms. Jackson trial counsel during opening statements that the Government’s investigation was “sloppy” and that two parties in this case –

codefendants Darrell Thomas and John Gaines – had entered guilty pleas in the case, somehow opens the door for the Government to elicit during examination the fact that other codefendants’ entered guilty pleas.¹

First, Defendant Jackson’s opening statement reference to a “sloppy” Government investigation made no reference at all to the issue of whether other codefendants had entered guilty pleas or not. It addressed the fact of a pleading error in the Government’s Second Superseding Indictment regarding count 46 and that this drafting error started at the case’s inception and went through three separate charging documents (Indictment, First Superseding Indictment, and Second Superseding Indictment). This is no basis to grant the Government’s Motion.

Second, counsel for Ms. Jackson did mention that codefendant Darrell Thomas and John Gaines had entered guilty pleas in this case, but that was stated for two reasons: Defendant Jackson intends to call codefendant John Gaines in her case-in-chief to testify on her behalf, and the fact of his guilty plea will be discussed with Mr. Gaines during questioning. Also, Ms. Jackson’s defense counsel mentioned Darrell Thomas’ guilty plea during the opening statement because the Government referenced Mr. Thomas

¹ For the above reasons, Ms. Jackson has the same standing to bring that motion filed by Mr. Foster, a copy of which is attached hereto as Exhibit “A.”

specifically during its list of parties that it read out to the jury during voir dire. Defendant Jackson assumed that Mr. Thomas could be called in as a witness for the Government as he played a primary role in the Government's investigation and charging decisions.

WHEREFORE, for the reasons stated above, the Court should GRANT Defendant's Motion to Adopt, consider the additional arguments set forth above, and DENY the Government's Motion.

Respectfully submitted this 11th day of February, 2024.

/s/ David D. Marshall
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CERTIFICATE OF SERVICE

This is to certify that the foregoing was formatted in 14-point Times Roman, in accordance with Local Rule 5.1C, and was electronically filed this day with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following:

All defense counsel; All AUSA's of record

This 11th day of February, 2024.

/s/ David D. Marshall
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