

FILED

STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD

IN THE GENERAL COURT OF JUSTICE  
2015 SEP -2 PM 2:32 SUPERIOR COURT DIVISION

FILE NO.: 15-CRS-153-156, 164  
RUTHERFORD COUNTY, C.S.C.

STATE OF NORTH CAROLINA,

*Plaintiff,*

vs.

BROOKE MCFADDEN COVINGTON,  
SARAH COVINGTON ANDERSON,  
JUSTIN BROCK COVINGTON,  
ROBERT LOUIS WALKER, Jr., and  
ADAM CHRISTOPHER BARTLEY,

*Defendants.*

**MOTION FOR ASSIGNMENT  
OF JUDGE**

The State of North Carolina, by and through the undersigned Assistant District Attorney, respectfully moves that the Honorable Marvin Pope, Superior Court Judge, be assigned to preside over all matters in each of the above-captioned cases, up to and including the trial on the merits in each case. In support thereof, the State shows the following

1. Judge Pope has heard and ruled on all motions that have been filed and heard in the cases up to the present time. Further motions are pending and more are likely before these cases can be properly called for trial.
2. There have been several hearings in these matters which involved the taking of testimony, rulings on evidence, consideration of appellate cases and consideration of other authorities.
3. It would be virtually impossible for another Judge to come in and preside over these cases and understand the dynamics of each particular case and the various contentions and positions of the parties at the same level as Judge Pope does after having presided over the various pretrial hearings referenced above.
4. The interests of justice will best be served if Judge Pope continues to preside over these cases.

WHEREFORE, the State moves the Court to enter an Order or take whatever action which may be necessary to insure that Judge Marvin Pope continues to preside over these cases until final disposition in Superior Court.

This the 2<sup>nd</sup> day of September, 2015.

Respectfully submitted,

FOR THE STATE:

Garland F. Byers, Jr.  
GARLAND F. BYERS, JR.  
Assistant District Attorney  
N.C. State District Attorney's Office  
Rutherford County  
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### CERTIFICATE OF SERVICE

I hereby certify that I served the attached Motion upon the Defendants as follows:

Service was obtained upon defendant Adam Christopher Bartley, by and through his attorney of record, Robert K. Denton, BYRD, BYRD, MCMAHON & DENTON, P.A., Post Office Drawer 1269, Morganton, North Carolina 28680-1269, by depositing a copy of the Motion enclosed in a postpaid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the Postal Service of the United States.

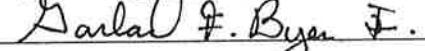
Service was obtained upon defendants Brooke McFadden Covington, Sarah Covington Anderson, and Justin Brock Covington, by and through their attorney of record, Angela S. Beeker, F.B. JACKSON AND ASSOCIATES LAW FIRM, PLLC, 422 North Church Street, Hendersonville, North Carolina 28792, by depositing a copy of the Motion enclosed in a postpaid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the Postal Service of the United States.

Service was obtained upon defendant, Robert Louis Walker, Jr., by and through his attorney of record, Matthew D. Cabe, LAW OFFICE OF BOB A. LEDFORD, P.O. Drawer 2247, Morganton, North Carolina 28680, by depositing a copy of the Motion enclosed in a postpaid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the Postal Service of the United States.

This the 2<sup>nd</sup> day of September, 2015.

Respectfully submitted,

FOR THE STATE:

  
GARLAND F. BYERS, JR.

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