

IN THE COURT OF APPEALS
FOR THE STATE OF GEORGIA

ROBERT E. THOMPSON,	:	APPEAL NO. A93A2140
	:	
Appellant	:	
	:	
v.	:	
	:	
THE STATE	:	
	:	
Appellee	:	

ENUMERATION OF ERRORS

I. The Trial Court committed harmful and reversible error in denying appellant's Motion for New Trial, in that the evidence produced at trial was insufficient to enable a rational trier of fact to find appellant guilty.

A. The jury did not find appellant guilty of any predicate acts, nor did they indicate at least two (2) predicate acts which they based their guilty verdict in the RICO Count.

B. The evidence presented to the jury was insufficient to sustain a verdict on any predicate acts of Theft by Taking.

C. The evidence presented to the jury was insufficient to sustain a verdict on any predicate acts of Theft by Conversion.

D. The evidence presented to the jury was insufficient to sustain a verdict on any predicate acts of Theft by Deception.

E. Appellant did not have the requisite knowledge of the criminal element of enterprise sufficient to sustain conviction.

II. The Trial Court committed harmful and reversible error in denying appellant's Motion for New Trial, in that the jury was subjected to tainted and decidedly false testimony and documentary evidence, and thus violated the appellant's Fourteenth Amendment right to due process and the due process rights secured by the Georgia Constitution.

III. The Trial Court committed harmful and reversible error in its jury charge on the RICO Count, in that the jury charge improperly led the jury to believe that if one defendant were found guilty, then the other must, as a matter of law, also be found guilty.

CERTIFICATE OF SERVICE

GEORGIA, BIBB COUNTY.

This is to certify that I have deposited a true and correct copy of the within and foregoing, **ENUMERATION OF ERRORS**, upon opposing counsel by placing same in the United States mail with adequate postage affixed thereto to insure delivery, addressed as follows:

Mr. Willis Sparks and
Mrs. Kim Shumate
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This 3Rd day of Aug., 1993.

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