

COMMONWEALTH OF KENTUCKY
MARSHALL CIRCUIT COURT
INDICTMENT NO. 18-CR-00030

FILED 3/4/19
TIFFANY FRALICX GRIFFITH
CIRCUIT CLERK
MARSHALL COUNTY
BY: [Signature] D.C.

COMMONWEALTH OF KENTUCKY

PLAINTIFF

V.

GABRIEL PARKER

DEFENDANT

COMMONWEALTH'S NOTICE OF STATUTORY
AGGRAVATING CIRCUMSTANCES

Comes the Commonwealth of Kentucky, by counsel, pursuant to KRS 532.025 and other law, to publish its intent to treat and prosecute the Murder charge(s) and indictment herein against GABRIEL PARKER as a capital offense and to seek imprisonment for life without benefit of probation or parole until the Defendant has served a minimum of twenty-five (25) years of his sentence, as a potential punishment in this case.

Pursuant to KRS 532.025(2), the Commonwealth states that the following are aggravating circumstances which are present in this case:

- (1) The offender's act or acts of killing were intentional and resulted in multiple deaths;
- (2) The offender by his acts of murder knowingly created a great risk of death to more than one person in a public place by means of a weapon which would normally be hazardous to the lives of more than one person.

The Commonwealth will rely upon all of that evidence as provided and referred to in its discovery responses, all of which either have been made or will be made prior to trial.

Dated this the 28th day of February, 2019.



DENNIS R. FOUST
Commonwealth's Attorney
42nd Judicial Circuit

CERTIFICATE OF SERVICE

28th I hereby certify that a true and correct copy of the foregoing was mailed on this the
day of February, 2019, to Defendant's counsel as follows:

Hon. Tom Griffiths, #86645
DPA Capital Conflict Counsel
P.O. Box 207
Danville, KY 40422



DENNIS R. FOUST

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**MOTION TO SET TRIAL DATE AND TO SET PRE-TRIAL SCHEDULE FOR
FILING OF MOTIONS**

Comes the Commonwealth of Kentucky, by counsel, and moves the court to set a trial date and to set pre-trial schedule for filing of motions. In support of this motion, the Commonwealth states as follows:

1. The defendant is charged with two (2) counts of Murder and fourteen (14) counts of Assault in the first degree stemming from events which occurred on January 23, 2018. At this point, over 13 months have passed, and while pretrial discovery is not complete, it is progressing in such a manner to the extent that it is appropriate to set a trial date for a date certain. The Commonwealth believes that remaining discoverable information can be provided to defendant by August of this year.
2. The Commonwealth believes that the trial will take approximately twenty (20) trial days, and is requesting a realistic trial date at the earliest date which will allow both the Commonwealth and the defendant adequate time to prepare for trial.

In addition, the Commonwealth would request that the Court determine which days will be used for trial once the initial trial date is set.
3. The Commonwealth further requests a scheduling order which sets out deadlines for filing all substantive motions, including evidentiary motions, which may be filed by

either party and which could otherwise cause delay in the trial date. Specifically, the Commonwealth would request that if defendant intends to introduce expert testimony, notice be given of any such intention as mandated by RCr 8.07 and any other applicable rules or statutes in order that the Commonwealth would be able to conduct any examinations that it would be entitled to have so that there would not be additional delay in the trial of this matter.

4. In addition, the Commonwealth would request that the Court set periodic status conferences to allow the parties ample time to handle all pretrial issues in a timely fashion. To date, the Court has set hearings on Fridays, and the Commonwealth believes this is a workable day to allow the Court to consider any matters in this case separate and apart from the Court's regular docket.

Wherefore, the Commonwealth requests an order which addresses all the matters mentioned above, as well as any other relief to which it may appear entitled.

Dated this the 28th day of February, 2019.



DENNIS R. FOUST #81202
Commonwealth's Attorney, 42nd Judicial Circuit
80 Judicial Drive, Unit 120
Benton, KY 42025

CERTIFICATE OF SERVICE

28th I hereby certify that a true and correct copy of the foregoing was mailed on this the day of February, 2019, to Defendant's counsel as follows:

Hon. Tom Griffiths, #86645
DPA Capital Conflict Counsel
438 West Walnut Street
Danville, KY 40422

A handwritten signature in black ink, reading "Dennis R. Foust". The signature is fluid and cursive, with the first name "Dennis" and last name "Foust" clearly legible, and "R." in the middle.

DENNIS R. FOUST