

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 1:25-cv-07084-TWT

CHÉ ALEXANDER, Clerk of  
Courts for Fulton County,

Defendant.

**DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE REPLY IN SUPPORT OF MOTION TO DISMISS**

Defendant Ché Alexander, sued in her official capacity as Clerk of Courts for Fulton County (the “Clerk”), moves for a two-week extension of time to file the reply brief in support of “Defendant’s Motion to Dismiss Plaintiff’s Complaint” (Doc. 18.) The Clerk requests this extension of time because of the Federal Bureau of Investigation’s execution of a warrant regarding documents at issue in this litigation on January 28, 2026.

1. Plaintiff filed this action on December 11, 2025, and served the Clerk with the Complaint on December 15, 2025. (Docs. 1, 6.)
2. On January 5, 2026, the Clerk moved to dismiss Plaintiff’s Complaint. (Doc. 18.) Plaintiff opposed the Clerk’s motion to dismiss on January 20, 2026. (Doc. 21.)

3. Under Local Rule 7.1(C), the Clerk's reply in support of the motion to dismiss must be served by February 3, 2026.

4. On January 28, 2026, the FBI executed a search warrant for "The Office of the Clerk of Court located at 5600 Campbellton Road, Fairburn, Georgia 30213." **Exhibit 1**, at 3.<sup>1</sup> The materials to be seized under the warrant included, *inter alia*, "[a]ll physical ballots from the 2020 General Election in Fulton County; including, but not limited to: absentee ballots to include envelopes," and "[a]ll ballot images produced during the original ballot count beginning on November 3, 2020, the recount, and any other ballot images that were created from the ballot scanning from the 2020 General Election in Fulton County." *Id.* at 4.

5. The materials described by the warrant executed by the FBI on January 28 substantially if not entirely overlap with the materials sought by Plaintiff in this litigation. *See* Compl. (Doc. 1) ¶ 17 (describing requested materials as "all used and void ballots, stubs of all ballots, signature envelopes, and corresponding envelope digital files from the 2020 General Election in Fulton County").

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<sup>1</sup> Although the warrant states it is "under seal," it appears to be widely publicly available, including via The Washington Post's website: <https://www.washingtonpost.com/documents/e815ed47-fce4-4797-8dc7-bcbc9efa968d.pdf>.

6. Counsel for the Clerk respectfully requests a two-week extension of time to ascertain the facts regarding the materials seized by the FBI on January 28 and to evaluate the impact of the FBI's execution of the warrant on this litigation.

7. Counsel for Plaintiff has stated that Plaintiff does not oppose this requested extension.

WHEREFORE, the Clerk respectfully requests a two-week extension of time to file the reply in support Defendant's Motion to Dismiss Plaintiff's Complaint, up to and including February 17, 2026. A proposed Order is attached as **Exhibit 2**.

Respectfully submitted, January 29, 2026.

/s/ Michael W. Tyler

Michael W. Tyler

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*Counsel for Defendant*

### **LOCAL RULE 7.1 CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing has been prepared in 13-point Century Schoolbook font in accordance with Local Rule 5.1(C).

Dated: January 29, 2026.

/s/ Michael W. Tyler  
Michael W. Tyler

### **CERTIFICATE OF SERVICE**

I hereby certify that on January 29, 2026, I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which will automatically send email documentation of such filing to the attorneys of record.

/s/ Michael W. Tyler  
Michael W. Tyler

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