

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

Robert L. “Robb” Pitts, Chairman, Fulton
County Board of Commissioners,

and

Fulton County Board of Registration and
Elections,

Petitioners,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NUMBER:
1:26-MC-0177

**EMERGENCY MOTION FOR RETURN OF PROPERTY PURSUANT TO
FEDERAL RULE OF CRIMINAL PROCEDURE 41(g)**

On January 28, 2026, the United States obtained a search warrant (the “Search Warrant” or “Warrant”) under seal from the U.S. District Court for the Northern District of Georgia. (Ex. 1.) The United States executed the Warrant later that day, seizing and removing approximately 656 boxes containing the original versions of 2020 election-related materials from the Fulton County Clerk of Superior Court. Pursuant to Federal Rule of Criminal Procedure 41(g), Petitioners Robert L. “Robb” Pitts, Chairman of the Fulton County Board of Commissioners, and the Fulton County Board of Registration and Elections respectfully request the return of all original seized materials and an order instructing the Respondent to maintain, but not review, any copies of the seized materials until this matter is resolved.

In support of this Motion, Petitioners rely upon the attached Memorandum of Law.

Dated: February 4, 2026

Respectfully submitted,

/s/ Y. Soo Jo

Y. Soo Jo

Georgia Bar No. 385817

OFFICE OF THE FULTON

COUNTY ATTORNEY

141 Pryor St. SW, Suite 4038

Atlanta, GA 30303

404-612-0246

soo.jo@fultoncountyga.gov

RETRIEVED FROM DEMOCRACYDOCKET.COM

CERTIFICATE OF SERVICE

I hereby certify that, on this 4th day of February, 2026, I caused a true and correct copy of the foregoing filing and all papers filed in the action to date, to be served on the following counsel for respondent via electronic mail to:

Thomas Albus, U.S. Attorney for the Eastern District of Missouri
thomas.albus@usdoj.gov

Theodore S. Hertzberg, U.S. Attorney for the Northern District of Georgia
theodore.hertzberg@usdoj.gov

Respectfully submitted,

/s/ Y. Soo Jo

Y. Soo Jo

Georgia Bar No. 385817

OFFICE OF THE FULTON

COUNTY ATTORNEY

141 Pryor St. SW, Suite 4038

Atlanta, GA 30303

404-612-0246

soo.jo@fultoncountyga.gov