

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

Robert L. Pitts, Chairman, Fulton County
Board of Commissioners, and Fulton County
Board of Registration and Elections,

Petitioners,

v.

UNITED STATES OF AMERICA,
Respondent.

CIVIL ACTION:

1:26-MC-0177

**EMERGENCY MOTION
TO DETERMINE
WHETHER FILING
UNDER SEAL IS
WARRANTED**

**EMERGENCY MOTION TO DETERMINE
WHETHER FILING UNDER SEAL IS WARRANTED
AND MEMORANDUM OF POINTS AND AUTHORITIES [UNDER SEAL]**

Petitioners Robert L. Pitts, Chairman of the Fulton County Board of Commissioners, and the Fulton County Board of Registration and Elections, by and through their undersigned counsel, respectfully move the Court to determine if the following filings need to be filed under seal: Petitioners' Emergency Motion Pursuant to Local Rule 7.2(b) and the corresponding brief in support with exhibits; Petitioners' Emergency Motion for Return of Property Pursuant to Federal Rule of Criminal Proceeding 41(g) and the corresponding memorandum of points and authorities with exhibits; and, Petitioners' Motion to Unseal Affidavit and the corresponding brief in support with exhibits. Petitioners have attached unredacted versions of these filings to this document. Additionally, Petitioners will simultaneously file redacted versions of these filings.

Petitioners recognize this Court has "discretion to determine which portions of the record should be placed under seal, but [that] discretion is guided by the

presumption of public access to judicial documents.” *United States v. Sajous*, 749 F. App’x 943, 944 (11th Cir. 2018) (quoting *Perez-Guerrero v. U.S. Att’y Gen.*, 717 F.3d 1224, 1235 (11th Cir. 2013)).

The sole reason Petitioners request to file under seal is that the attached filings contain references to, and attach as an exhibit, a search warrant that was executed by the United States that was obtained under seal. The warrant was served upon Fulton County officials and has, at this point, been posted online.¹ Multiple news outlets have reported on its contents.² Even law enforcement body cam footage has been shared online.³ However, Petitioners respect the fact that the warrant was obtained under seal and thus submit this request. Should the Court determine that filing under seal is necessary, Petitioners have provided unredacted versions of their filings for the Court’s and Respondent’s reference and redacted versions for the public docket. Should the Court find that filing under seal is not warranted given that

¹ Warrant posted at: <https://www.documentcloud.org/documents/26513986-1-28-26-fulton-warrant/>.

² Kate Brumback, *Search warrant FBI served at elections office near Atlanta seeks records tied to the 2020 elections*, (Jan. 28, 2026), <https://apnews.com/article/fbi-georgia-elections-office-fulton-county-28e736037521b17197760d2394f0ab43>; Sam Levine and George Chidi, *FBI executes search warrant at election office in Fulton county, Georgia*, (Jan. 28, 2026), <https://www.theguardian.com/us-news/2026/jan/28/fbi-search-warrant-fulton-county-georgia>.

³ *Exclusive: Police body cam footage shows confusion at FBI raid of Fulton elections*, The Atlanta Journal-Constitution (Feb. 3, 2026) <https://www.ajc.com/opinion/2026/02/trumps-baseless-claims-about-election-fraud-undermine-faith-in-ga-elections/>.

the warrant has been publicly released, then Petitioners submit unredacted versions of their filings that the Court may file on the public docket.

For the reasons stated above, Petitioners respectfully request that the Court determine on an expedited basis whether Petitioners' motions should be filed under seal. If the Court determines they should, then Petitioners request that the Court file the redacted versions on the public docket. If the Court does not find a need for Petitioners to file under seal, then Petitioners request that the Court file the unredacted versions of the attached filings on the public docket.

Date: February 4, 2026

Respectfully submitted,

/s/ Y. Soo Jo

Y. Soo Jo

Georgia Bar No. 385817

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CERTIFICATE OF COMPLIANCE

I certify that this memorandum of points and authorities has been prepared in Times New Roman 14 pt font pursuant to LR 7.1(D).

Dated: February 4, 2026

Respectfully submitted,

/s/ Y. Soo Jo

Y. Soo Jo

Georgia Bar No. 385817

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CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2026, I submitted the foregoing electronically. Notice of this filing will be sent to all parties via email.

Respectfully submitted,

/s/ Y. Soo Jo

Y. Soo Jo

Georgia Bar No. 385817

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