

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA



IN RE:)
SPECIAL PURPOSE GRAND JURY) 2022-EX-000024
)
) Judge Robert C. I. McBurney
)

PETITION FOR CERTIFICATION OF NEED FOR TESTIMONY
BEFORE SPECIAL PURPOSE GRAND JURY
PURSUANT TO O.C.G.A. O.C.G.A. § 24-13-90 ET SEQ.

COMES NOW the State of Georgia, by and through Fani T. Willis, District Attorney, Atlanta Judicial Circuit, Fulton County, Georgia, and petitions this Honorable Court for a Certificate of Need for Testimony Before Special Purpose Grand Jury, pursuant to O.C.G.A. § 24-13-92 et seq., and in support thereof says as follows:

1. A Special Purpose Grand Jury investigation commenced in Fulton County, Georgia, by order of this court on May 2, 2022. *See* Order Impaneling Special Purpose Grand Jury Pursuant to O.C.G.A. § 15-12-100, Et Seq, “**Exhibit A**”. The Special Purpose Grand Jury is authorized to investigate any and all facts and circumstances relating directly or indirectly to possible attempts to disrupt the lawful administration of the 2020 elections in the State of Georgia. *See* Letter Requesting Special Purpose Grand Jury, “**Exhibit B**”.
2. Lindsey Olin Graham, born July 9, 1955, (hereinafter, “the Witness”) is a necessary and material witness to the Special Purpose Grand Jury investigation. Through both its investigation and through publicly available information, the State has learned that the Witness made at least two telephone calls to Georgia Secretary of State Brad

Raffensperger and members of his staff in the weeks following the November 2020 election in Georgia. During the telephone calls, the Witness questioned Secretary Raffensperger and his staff about reexamining certain absentee ballots cast in Georgia in order to explore the possibility of a more favorable outcome for former President Donald Trump. The Witness also made reference to allegations of widespread voter fraud in the November 2020 election in Georgia, consistent with public statements made by known affiliates of the Trump Campaign.

3. The Witness, based on the substance and timing of the telephone calls he personally made to Georgia Secretary of State Brad Raffensperger, is a necessary and material witness in this investigation. The Witness possesses unique knowledge concerning the substance of the telephone calls, the circumstances surrounding his decision to make the telephone calls, the logistics of setting up the telephone calls, and any communications between himself, others involved in the planning and execution of the telephone calls, the Trump Campaign, and other known and unknown individuals involved in the multi-state, coordinated efforts to influence the results of the November 2020 election in Georgia and elsewhere. Finally, the Witness's anticipated testimony is essential in that it is likely to reveal additional sources of information regarding the subject of this investigation.
4. The testimony of the Witness will not be cumulative of any other evidence in this matter.
5. The Witness resides outside the jurisdiction of this Honorable Court and is therefore unable to be served with process to compel attendance and testimony.

