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GA Court of Appeals Returns Fulton Counterfeit Ballot Case to Lower Court, Upholds GA Supreme Court Order on Standing

ATLANTA, GA, MAY 11, 2023 – The Georgia Court of Appeals has issued an order remanding the Fulton County counterfeit ballot case back to the Superior Court for all Fulton County petitioners. The order comes over four months after the Georgia Supreme Court upheld standing in its December 20, 2022 ruling for the *Favorito et al v. Wan et al* and *Jeffords et al v. Fulton County* cases. That decision was based on the court’s previous ruling that unanimously found **Georgia citizens, taxpayers and residents, including voters, always had standing to sue government officials or agencies who violate Georgia law.**

The Court of Appeals decision to remand the cases applies only to petitioners who are resident in Fulton County. Petitioners Favorito, Terris and Peck will continue on their case while Caroline Jeffords will continue as the lone petitioner in her case. The remaining five Georgia petitioners could appeal their ruling to the Georgia Supreme Court if they choose, given that they were impacted by a statewide race. It seems unlikely that would happen though.

The cases originated on December 23, 2020 when attorney Todd Harding filed an Equal Protection and Due Process claim against Fulton County on behalf of nine Petitioners who alleged that counterfeit ballots were found in the November 14th hand count audit. The petitioners produced four sworn affidavits from senior poll managers who contended they saw mail-in ballots that were not folded from being mailed, not marked with a writing instrument and not on correct paper stock. They also noted the ballots had the same candidates selected in all down ballot races.

Garland Favorito provided some context for the 28-month legal struggle: *“The citizens of Georgia have been victimized for well over two years by false claims that there is no evidence of election fraud. This inordinate delay is attributable to lower court rulings that falsely claimed we had no standing. The Secretary of State and Attorney General should have helped us all this time instead of fighting against us. It is critical that Georgians quickly know how many counterfeit ballots were included in the 2020 Fulton election results so we can implement more fraud protection measures prior to the next election. We fully expect the lower court to move expeditiously since it had already ordered a ballot inspection before Fulton County hired criminal defense attorneys to prevent us from looking at the ballots. If there is nothing to hide, all involved should be willing to show us the ballots.”*