

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA,

v.

**RUDOLPH LOUIS GIULIANI,
DEFENDANT.**

INDICTMENT NO.: 23SC188947

JUDGE McAFEE

MOTION FOR SEVERANCE/CONTINUANCE

Comes now Defendant in the above-styled matter and files this, his Motion for Severance/Continuance and in support of said motion shows this Honorable Court the following:

Defendant was indicted on August 14, 2023, along with 18 co-defendants in Indictment 23SC188947. Said matter was scheduled for arraignment on Wednesday, September 6, 2023, but Defendant pled not guilty and waived formal arraignment in writing on Friday, September 1, 2023. Prior to arraignment, two of Defendant's co-defendants, Kenneth Chesebro and Sidney Powell, filed statutory motions for a speedy trial. As a result, the Court set their trial for October 23, 2023, prior to the end of the October term of court. The Court has set a scheduling order for Chesebro and Powell's pretrial matters.

Currently, this defendant has received no notice from the Court that his case will be tried on October 23, 2023, nor has he received a scheduling order for the

pretrial matters in this case. Defendant has opted into discovery and filed preliminary challenges to the indictment pending against him.

Defendant has not filed a statutory demand for a speedy trial. Nonetheless, to the extent that it is necessary, Defendant moves this Court to sever him from the trial set for co-defendants Chesebro and Powell and/or continue his trial from that date. Defendant has not received the more than 2 terabytes of discovery to be provided in this case, nor has he seen a complete list of the 150 witnesses which the State intends to call at trial.

As such, Defendant is not and cannot be prepared to try this case on October 23, 2023. Upon receipt of discovery, Defendant will be able to determine whether additional severance motions will be filed regarding the various counts of the indictment and/or a potential trial with the remaining 16 co-defendants in this case.

Respectfully submitted, this the 8th day of September, 2023.

/s/ L. David Wolfe
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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing *Motion for Severance/Continuance* upon opposing counsel by Odyssey electronic filing, which will automatically send email notification to all parties of record.

Respectfully submitted, this the 8th day of September, 2023.

/s/ L. David Wolfe

L. David Wolfe, P.C.

Georgia Bar No. 773325

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/s/ Brian Tevis

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