

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA

v.

KENNETH JOHN CHESEBRO;  
SIDNEY KATHERINE POWELL, et al.  
Defendants.

CASE NO.

23SC188947

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**CERTIFICATE OF NEED FOR TESTIMONY BEFORE A CRIMINAL PROSECUTION  
PURSUANT TO THE UNIFORM ACT TO SECURE THE ATTENDANCE OF  
WITNESSES FROM WITHOUT THE STATE**

Upon the petition of Fani T. Willis, District Attorney, Atlanta Judicial Circuit, pursuant to the Uniform Act to Secure the Attendance of Witnesses from Without the State, codified at O.C.G.A. § 24-13-90 et seq., the Court issues the following Certificate under seal of this Court, and further states as follows:

1. The above-styled matter is pending and is specially set for trial beginning October 23, 2023 in the Superior Court of Fulton County, Georgia.
2. Defendant Kenneth John Chesebro is charged with one count of Violation of the Georgia RICO (Racketeer Influenced and Corrupt Organizations) Act, one count of Conspiracy to Commit Impersonating a Public Officer, two counts of Conspiracy to Commit Forgery in the First Degree, two counts of Conspiracy to Commit False Statements and Writings, and one count of Conspiracy to Commit Filing False Documents.
3. Defendant Sidney Katherine Powell is charged with one count of Violation of the Georgia RICO (Racketeer Influenced and Corrupt Organizations) Act, two counts of Conspiracy to Commit Election Fraud, one count of Conspiracy to Commit Computer

Theft, one count of Conspiracy to Commit Computer Trespass, one count of Conspiracy to Commit Computer Invasion of Privacy, and one count of Conspiracy to Defraud the State.

4. Based on the representations made by the State in the attached “Petition for Certificate of Need for Testimony Before Criminal Prosecution Pursuant to the Uniform Act to Secure the Attendance of Witnesses from without the State,” the Court finds that Alex Jones, born February 11, 1974, is a necessary and material witness in this prosecution. The Court further finds that Alex Jones currently resides in Austin, Travis County, Texas.
5. Based on the representations made by the State in the attached and incorporated “Petition for Certificate of Need for Testimony Before Criminal Prosecution Pursuant to The Uniform Act to Secure the Attendance of Witnesses from Without the State”, the Court finds that, on November 18, 2020, Alex Jones participated in a “Stop the Steal” rally at the Georgia State Capitol alongside members of the Proud Boys and Oath Keepers and others.
6. Based on the representations made by the State in the attached “Petition for Certificate of Need for Testimony Before Criminal Prosecution Pursuant to the Uniform Act to Secure the Attendance of Witnesses from without the State,” the Court finds that, on January 6, 2021, Alex Jones participated in the march on the United States Capitol alongside members of the Proud Boys and Oath Keepers and others. According to public statements made by Alex Jones, “the White House told me three days before, we are going to have you lead to March.” While using a bullhorn, Alex Jones told the crowd marching on the Capitol that this was “the second

American revolution.” Video footage shows that Kenneth Chesebro was marching on the Capitol alongside Alex Jones on this day.

7. Based on the representations made by the State in the attached and incorporated “Petition for Certificate of Need for Testimony Before Criminal Prosecution Pursuant to The Uniform Act to Secure the Attendance of Witnesses from Without the State”, the Court finds that Kenneth Chesebro was in communication with Alex Jones regarding the attempt to disrupt and delay the January 6, 2021 joint session of Congress.
8. Based on the representations made by the State, the Court finds that Alex Jones is a necessary and material witness. Alex Jones possesses unique knowledge concerning communications between himself and Kenneth Chesebro and other known and unknown individuals involved in the multi-state, coordinated efforts to influence the results of the November 3, 2020 presidential election in Georgia and elsewhere.
9. The Court further finds that these communications are evidence against Kenneth Chesebro, as represented by the State, as to Counts 1, 9, 11, 13, 15, 17, 19 of this indictment in this criminal prosecution.
10. The testimony of Alex Jones will not be cumulative of any other evidence in this matter.
11. Alex Jones will be required to be in attendance and testify before the trial in this matter commencing on October 23, 2023 in the Superior Court of Fulton County, Fulton County Courthouse, Courtroom 5A, 185 Central Avenue SW, Atlanta, Georgia 30303. The Court notes that the District Attorney reasonably anticipates that the Witness’s testimony will not exceed one day.

12. The Office of the Fulton County District Attorney, in and for the State of Georgia, will pay all reasonable and necessary travel expenses and witness fees required to secure Alex Jones' attendance and testimony, in accordance with O.C.G.A. §24-13-90 et seq.
13. Alex Jones shall be given protection from arrest and from service of civil or criminal process, both within this State and in any other state through which Alex Jones may be required to pass in the ordinary course of travel, for any matters which arose before Alex Jones' entrance into this State and other states, while traveling to and from this Court for the purpose of testifying for this case.
14. The State of Georgia is a participant in a reciprocal program providing for the securing of witnesses to testify in foreign jurisdictions which likewise provide for such methods of securing witnesses to testify in their courts.
15. This Certificate is made for the purpose of being presented to a judge of a District Court of Travis County, Texas, or any other court of record in Travis County, by the Travis County District Attorney's Office, or his duly authorized representative, who is proceeding at the request and on behalf of the Office of the Fulton County District Attorney.

**WITNESS MY HAND AND SEAL** as a judge of the Superior Court of Fulton County,  
Georgia,

This the 10 day of October, 2023.



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**SCOTT MCAFEE**  
SUPERIOR COURT OF FULTON COUNTY  
ATLANTA JUDICIAL CIRCUIT