

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

**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 Ronna McDaniel, born March 20, 1973, is a necessary and material witness in this prosecution. The Court further finds that Ronna McDaniel currently resides in Wayne County, Michigan.
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 Kenneth Chesebro along with co-defendants Donald Trump, John Eastman, and others, are being charged with unlawfully conspiring to cause certain individuals to falsely hold themselves out as the duly elected and qualified presidential electors for the November 3, 2020 presidential election.
6. 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 Ronna McDaniel participated in a phone call with Donald Trump and John Eastman in December 2020 in which she was told the importance of the RNC helping the campaign gather “contingent” electors for the November 3, 2020 presidential election.

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 Ronna McDaniel forwarded an e-mail titled “RE: Elector’s Recap – Final” to Molly Michael, Executive Assistant to the President. The e-mail contained, in part, a list of the “Six Contested States,” including Georgia, and the electoral votes that had been cast for Donald Trump in each of these states. On the same day, Molly Michael responded to this e-mail and stated to Ronna McDaniel, “It’s in front of him!”
8. The Court finds that these communications are evidence against Kenneth Chesebro, as represented by the State, as to Act 44 of Count 1 as well as Counts 9, 11, 13, 15, 17, 19 of this indictment in this criminal prosecution.
9. Based on the representations made by the State, the Court finds that Ronna McDaniel is a necessary and material witness. Ronna McDaniel possesses unique knowledge concerning communications between herself and Donald Trump as well as communications between herself and John Eastman regarding the conspiracy to cause certain individuals to falsely hold themselves out as the duly elected and qualified presidential electors for the November 3, 2020 presidential election.
10. The testimony of Ronna McDaniel will not be cumulative of any other evidence in this matter.
11. Ronna McDaniel 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 Ronna McDaniel's attendance and testimony, in accordance with O.C.G.A. §24-13-90 et seq.
13. Ronna McDaniel 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 Ronna McDaniel may be required to pass in the ordinary course of travel, for any matters which arose before Ronna McDaniel's 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.

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15. This Certificate is made for the purpose of being presented to a judge of the Circuit Court of Wayne County, Michigan, or any other court of record in Wayne County, by the Wayne County Prosecutor's Office, Michigan, or her 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.



SCOTT MCAFEE
SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT