

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,)
)
 Plaintiff,)
)
 vs.) CASE NO.: 23SC188947
)
 DONALD JOHN TRUMP, et al.,)
)
 Defendant.)
)
 _____)

MARK R. MEADOWS' MOTION TO ADOPT

Pursuant to U.S.C.R. 31.1 And O.C.G.A. § 17-7-110, Defendant Mark R. Meadows, by and through undersigned counsel, hereby moves to adopt the following motions timely filed by co-defendants in the above-captioned case:¹

- Defendant Ray Smith's General and Special Demurrers to the Indictment (Smith Doc. 24);
- Defendant David Shafer's Plea in Bar and Motion to Quash the Indictment (Shafer Doc. 46); and
- Defendant Robert Cheeley's Joint General and Special Demurrer (Cheeley Docs. 49 and 50).

As to Smith's Demurrers (Smith Doc. 24), Mr. Meadows adopts Defendant Ray Smith's general and specific demurrers as to each count for which they share standing. Mr. Meadows specifically adopts Smith's particularized demurrer positions that Count One fails to allege an enterprise and Counts Two, Six, and Twenty-Three

¹ In filing the instant motion Mr. Meadows does not waive or abandon his ongoing efforts to properly remove the state's prosecution to federal court under 28 U.S.C. §§ 1442 & 1455.

fail to allege what the oath of office was, or what portion of the oath was violated, and is therefore subject to a special demurrer.²

Mr. Meadows adopts David Shafer's particularized arguments that (1) the State lacks the authority to prosecute on the basis of the Supremacy Clause; (2) Mr. Meadows, like Mr. Shafer, has official immunity as a federal officer; (3) the State lacks jurisdiction, as it charges offenses against the United States rather than the State of Georgia; (4) the charges violate the Due Process Clause's fair notice requirement. (See Shafer Doc. 46).

Last Mr. Meadows adopts the following arguments raised in Robert Cheeley's Joint General and Special Demurrer (Cheeley Docs. 49 and 50): (1) the Electoral Count Act of 1887 preempts the state law allegations; (2) Count One does not State a Georgia RICO claim; (3) Count Twenty-Three fails to allege solicitation of a public officer to violate their oath of office; and (4) the Rule of Lenity and Due Process fair notice requirements require dismissal.

WHEREFORE, Mark R. Meadows respectfully moves to adopt, conform, and have the benefit of the motions timely filed by Defendants Ray Smith (Smith Doc. 24), David Shafer (Shafer Doc. 46), and Robert Cheeley (Cheeley Docs. 49 and 50).

Respectfully submitted on this 30th day of November, 2023.

² Smith's demurrers to Counts Two, Six, and Twenty-Three (Solicitation of Violation of Oath by Public Officer) apply to Count Twenty-Eight, which charges Mr. Meadows with the same offense.

**GRIFFIN DURHAM TANNER &
CLARKSON, LLC**

By: /s/ James D. Durham

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CERTIFICATE OF SERVICE

I hereby certify I electronically filed the foregoing document with the Clerk of Court using Odyssey E-file Georgia electronic filing system that will send notification of such filing to all parties.

This 30th day of November, 2023.

**GRIFFIN DURHAM TANNER &
CLARKSON**

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