

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

**President Donald J. Trump,**  
*Petitioner,*

v.

**Fani Willis, Esq.,**  
in her capacity as District Attorney for  
the Atlanta Judicial Circuit,

&

**Hon. Robert McBurney,**  
in his capacity as Superior Court  
Judge for the Atlanta Judicial Circuit,  
*Respondents.*

**No. 2023CV382670**

**NOTICE OF VOLUNTARY DISMISSAL UNDER OCGA**  
**§ 9-11-41(a)(1)(A)**

The Petitioner, President Donald J. Trump, petitioned this Court on July 14, 2023 for writs of mandamus and prohibition to vindicate his rights with respect to the Fulton County District Attorney's and the Supervising Fulton County Superior Court Judge's handling of the OCGA § 15-12-100 *et seq.* special purpose grand jury investigation related to the administration of Georgia's 2020 election proceedings (Case No. 2022-EX-000024). As pled in the petition, the position in which the Petitioner had been placed was such that his lawfully filed motion in the special purpose grand jury matter had been left undecided by the Supervising Judge and the forthcoming harm to the

Petitioner became manifestly imminent. At that time, the Petitioner had no choice but to seek this extraordinary relief.

Petitioner is now aware that his complaint of inaction has been satisfied—particularly through the Order of the Supervising Judge on July 31, 2023. It appears that the grant of this Court of a hearing on this matter by way of the Rule Nisi issued on July 28, 2023 was effective in pursuing the relief thus requested in an expedient fashion. Although the Petitioner does not agree with the Supervising Judge’s analysis or ruling, there are now other channels to seek judicial review of the underlying arguments. Specifically, the Petitioner maintains that there needs to be appellate and/or additional review of the propriety of this special purpose grand jury and the ability of the Fulton County District Attorney’s Office to continue forward in this matter.

Therefore, since it appears that there is no additional relief this Court could afford Petitioner and that any decision made by this Court would be duplicative in nature, the Petitioner hereby dismisses his Petition and will pursue his valid legal claims in the appropriate channels and forums as permitted under the law. The petitioner is dismissing this action of his own accord, which he may do under OCGA § 9-11-41 (a)(1)(A) prior to the first witness having been sworn. Petitioner will now seek recourse via the processes for appellate review in Title 5, Chapter 6 of the Official Code of Georgia.

Respectfully submitted on August 3, 2023 by:

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*Counsel for President Donald J. Trump*

**CERTIFICATE OF SERVICE**

This is to certify that we have this day served the below- referenced counsel for the opposing parties in the foregoing matter with a copy of the within:

NOTICE OF VOLUNTARY DISMISSAL UNDER O.C.G.A. § 9-11-41(a)(1)(a)

by E-file and Service.

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This 3rd day of August, 2023

[s:\ Marissa Goldberg](#)  
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