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McGUIREWOODS

December 13, 2023

Via CM/ECF

David J. Smith
Clerk of Court
U.S. Court of Appeals for the Eleventh Circuit
56 Forsyth St., N.W.
Atlanta, GA 30303

Re: *State of Georgia v. Mark R. Meadows*, No. 23-12958
Letter Pursuant to Federal Rule of Appellate Procedure 28(j)

Dear Mr. Smith:

On behalf of Defendant-Appellant Mark R. Meadows, I write pursuant to Appellate Rule 28(j) to notify the Court of a recent order from Fulton County Superior Court relevant to this Court's expedited consideration of Mr. Meadows's appeal in No. 23-12958.

At the outset, Mr. Meadows sought emergency relief including (1) a stay of remand, (2) expedited review, or alternatively, (3) an injunction against state prosecution. *See* ECF No. 4-1. At the time, the State sought to try Mr. Meadows a mere 42 days later. Mr. Meadows sought to "preserve the status quo and prevent irreparable loss of [his] rights" pending appeal. *Id.* at 3.

This Court promptly granted expedited review and scheduled oral argument to consider further relief. But then, the state court (1) severed Mr. Meadows's case from those proceeding to trial in October 2023, and (2) pushed back pre-trial deadlines for discovery and motions. In light of these developments, Mr. Meadows withdrew the remaining requests for relief in his emergency motion: a stay of remand and an injunction against state prosecution.

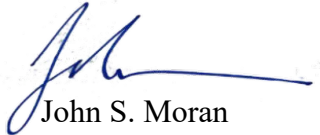
Yesterday, the state court extended Mr. Meadows's deadline for filing pretrial motions (other than motions *in limine*) to February 5, 2024. Order, *State of Georgia v. Meadows et al.*, No. 23SC188947 (Sup. Ct. Ga. Dec. 11, 2023) (Attachment A). Mr. Meadows had sought additional time to ensure this Court could fully consider and resolve the appeal before he would need to file substantive motions and litigate his defenses on the merits in state court. The state court thus extended the deadline, but only so far.

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In light of this order, Mr. Meadows faces deadlines and obligations to litigate his defenses—including defenses under federal law—in state court within 52 days of the upcoming oral argument on Friday, December 15, 2023. Mr. Meadows appreciates that this Court has indicated that it intends to decide this appeal in an expedited manner. Mr. Meadows will continue to update this Court with further relevant developments in the state court proceeding.

Sincerely,

A handwritten signature in blue ink, appearing to read "John S. Moran", with a long horizontal flourish extending to the right.

John S. Moran
MCGUIREWOODS LLP

Counsel for Defendant-Appellant Mark R. Meadows

Attachment (1)