

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

STATE OF GEORGIA,

v.

JEFFREY BOSSERT CLARK,

DEFENDANT.

Case No. 1:23-cv-3721

(Related to:

Case Nos. 1:23-cv-03621-SCJ  
1:23-cv-03720-SCJ  
1:23-cv-03792-SCJ  
1:23-cv-03803-SCJ)

Judge Steve C. Jones

On removal from the Fulton  
County Superior Court

**SUPPLEMENT TO AUGUST 21, 2023 NOTICE OF  
REMOVAL BY JEFFREY B. CLARK**

1. On August 21, 2023 Defendant Jeffrey B. Clark removed a set of interrelated matters to this Court. *See* Case No. 1:23-cv-3721, Dkt. # 1.
2. Defendant herein supplements the Notice of Removal—generally and especially as to paragraphs 14 through 17— by filing the attached document.
3. Specifically, attached as Exhibit 1 is the Order Entering Special Purpose Grant Jury’s Final Report Into Court Record (with the attached Special Purpose Grand Jury’s Final Report).

4. As we predicted in the Notice of Removal, the Special Purpose Grand Jury Final Report does reference Mr. Clark and include a recommendation, albeit a legally flawed one, concerning Mr. Clark. *See* Notice of Removal, Dkt. # 1 at 12 (“The SPGJ Proceedings, however, likely involved District Attorney Willis putting allegations about Mr. Clark to the SPGJ. It appears that District Attorney Willis was using the SPGJ Proceedings to develop information about Mr. Clark and other defendants she now alleges in the indictment conspired with one another.”).

5. The Special Purpose Grand Jury Final Report states that “[w]ith respect to the national effort to overturn the 2020 presidential election, focused on efforts in Georgia, Arizona, Wisconsin, Michigan, Pennsylvania, and the District of Columbia, the Grand Jury recommends that the District Attorney seek indictments of the following person(s) including votes ... Jeff Clark 20 Y / 1 N / 0 A ... Relevant Statute(s): O.C.G.A. 16-4-3 and all relevant subsections.” Exhibit 1, Special Purpose Grand Jury Final Report at 6-8.

6. As noted in the Notice of Removal, 28 U.S.C. § 1446(b)(3) applies here. This is because the Indictment was the first document filed by which Mr. Clark could determine that he was impugned by the ordinary grand jury process and also, likely, by the Special Purpose Grand Jury process that preceded it as well. But Mr. Clark could not be absolutely sure that the Special Purpose Grand Jury had actually recommended an indictment be filed against him until just a few days ago—

on September 8, 2023—when Judge McBurney of the Fulton County Superior Court ordered the largely unredacted release of the Special Purpose Grand Jury Final Report. *See* Exhibit 1 at 1 (“Order Entering Special Purpose Grand Jury’s Final Report Into Court Record”).

7. This Supplement is timely as it is filed within 30 days of September 8, 2023.

8. Whereupon this Supplement becomes part of the record of the removal effectuated by the Notice of Removal. Our filing of this Supplement makes it unnecessary for this Court to issue a writ of certiorari to require the filing of the Special Purpose Grand Jury Final Report herein, pursuant to 28 U.S.C. § 1447(b).

Respectfully submitted this 10th day of September 2023.

/s/ Harry W. MacDougald  
Georgia Bar No. 463076  
*Attorney for Defendant Jeffrey B. Clark*

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**CERTIFICATE OF COMPLIANCE WITH L.R. 5.1**

The undersigned hereby certifies that this filing was prepared in the Times New Roman size 14 font in compliance with L.R. 5.1.

This this 10th day of September, 2023.

*/s/ Harry W. MacDougald*  
Georgia Bar No. 463076  
*Attorney for Defendant*

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## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing *Supplement To August 21, 2023 Notice Of Removal By Jeffrey B. Clark* was hereby filed on this 10 day of September, 2023 with the Court's electronic filing system which causes service to be made upon all counsel of record.

This 10 day of September, 2023.

/s/ Harry W. MacDougald  
Georgia Bar No. 463076  
*Attorney for Defendant*

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