

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

KAYLA CROWELL, et al.,

Plaintiffs,

Civil Action File

OBJ No: 22107734

v

COBB COUNTY BOARD OF ELECTIONS :
AND REGISTRATION, et al., :

Defendants.

INTERLOCUTORY INJUNCTION

This matter comes before the Court on Plaintiffs' Supplemental Complaint for

Declaratory Judgment and Injunctive Relief and Plaintiffs' Motion for Temporary

[REDACTED]

cast their ballots in person on election day.

A. Factual Findings

The Court makes the following factual findings, which Defendants do not contest¹

Plaintiff Kayla Crowell is a 29-year-old resident of Cobb County, Georgia.

[REDACTED]

currently in California for a temporary job. Plaintiff Crowell requested an absentee ballot on November 14, 2022. Pls.' Ex. A (Crowell Aff.) ¶ 5. Plaintiff Crowell's request was recorded as received on November 18, 2022, on the

currently in New York caring for her elderly mother. Plaintiff Scott requested

[REDACTED]

her absentee ballot on November 21, 2022. Pls.' Ex. B (Scott Aff.) ¶ 4. Her request was marked as recorded on the Secretary of State's My Voter Page on November 22, 2022, and was listed as issued on November 23, 2022. *Id.* ¶ 6

She had not received her ballot as of the time of the 2022 election.

[REDACTED]

delay.” Michele Newell, *Some Cobb County Voters Still Awaiting Absentee Ballots*, WSBTV (Dec. 1, 2022). Defendants acknowledged during the hearing on December 2 that some absentee ballots may not have been mailed to voters until December 2.

5. In the 2022 runoff elections, over 228,000 voters statewide timely requested

[REDACTED]

1,935 Cobb voters who show an issue date of November 22, only 11.5% have returned their ballots by mail, compared to the several thousand voters in DeKalb, Fulton, and Gwinnett, with mail return rates for voters showing the same ballot issue date of 23%, 19.6%, and 41.6%, respectively. And for voters whose ballots show an issue date of November 23, just 0.3% of the 3,441



identification. Pls.' Ex. C (CCDC Aff.) ¶ 1. Upon learning about the delays at

issue in this litigation, CCDC has had 14 days to file its motion for summary judgment.

[REDACTED]

issue, and will continue to do so. *Id.* ¶ 4.

B. Legal Positions of the Parties

Plaintiffs contend that Defendants violated the individual Plaintiffs' and other Affected Voters' rights under the Georgia Constitution by failing to timely mail absentee ballots to eligible voters during the advance voting period that

[REDACTED]



Election Day, December 6, 2022, and received by Defendants by mail on

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

before December, 9, 2022 or (b) delivered to the Cobb County Board of Elections and Registration Office by December 6, 2022 at 7:00 pm;

~~4 Defendants shall release a public announcement via the Cobb County Board of~~

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Order prepared and presented by:

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