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GA Supreme Court Confirms Voters Have Standing to Sue Election Officials Who Violate Law

ATLANTA, GA, OCTOBER 27, 2022 – The Georgia Supreme Court confirmed Tuesday what most informed Georgians have known all along. The court [found](#) that **Georgia citizens, including voters, have standing to sue government officials who violate Georgia law.**

The court overturned parts of lower court rulings in cases entitled *Sons of Confederate Veterans et al, vs. Henry County Board of Commissioners* and *Sons of Confederate Veterans et al, v. Newton County Board of Commissioners*. In those cases, the organization was joined by individuals who sued the county boards for voting to remove statutes that are legally protected under O.C.G.A. 50-3-1. The lower courts falsely claimed that the petitioners had no standing to sue.

The ruling applies to individuals and organizations who have citizens, residents or taxpayers in a jurisdiction. It confirms arguments made by Petitioners in the Fulton County counterfeit ballot case known as *Favorito et al, v. Wan et al*. That [case](#), originally entitled *Favorito et al, v. Cooney et al* was dismissed after 10 months of hearings for lack of standing. The dismissal came after the county hired criminal defense attorneys to prevent petitioners from inspecting ballots. That case has a pending [writ of certiorari](#) before the Supreme Court.

VoterGA co-founder Garland Favorito stated: “*Georgia voters were unjustly denied their Equal Protection and Due Process rights to ensure only legal votes were counted in the 2020 election. We will do everything within our power to overturn the bogus ruling we received and preserve all 2020 election ballots.*”

Key findings in the ruling include:

“*..., only plaintiffs with a cognizable injury can bring a suit in Georgia courts. Unlike federal law, however, that injury need not always be individualized; sometimes it can be a generalized grievance shared by community members, especially other residents, taxpayers, voters, or citizens.* [Pg 2]

“*Georgia has long recognized that members of a community, whether as citizens, residents, taxpayers, or voters, may be injured when their local government fails to follow the law. Government at all levels has a legal duty to follow the law; a local government owes that legal duty to its citizens, residents, taxpayers, or voters (i.e., community stakeholders), and the violation of that legal duty constitutes an injury that our case law has recognized as conferring standing to those community stakeholders, even if the plaintiff suffered no individualized injury.*” [Pg 3]

“*Because the Georgia Constitution is the source of the judicial power of state courts, federal standing requirements do not control our analysis.*” [Pg 15]

“*And it is unsurprising that we have extended this logic to “voters,” because they, like citizens and taxpayers, are community stakeholders. Voters may be injured when elections are not administered according to the law or when elected officials fail to follow the voters’ referendum for increased taxes to fund a particular project, so voters may have standing to vindicate public rights*” [Pg 50]

VoterGA is a non-partisan, 501(c)3 registered non-profit organization created by a coalition of citizens working to restore election integrity in Georgia. We advocate for independently verifiable, auditable, recount capable, transparent and tamper proof elections.