

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

CHRISTOPHER MORA, KELI GAMBRILL,)
and GREG DOLEZAL, individually and)
and in his/her capacity as a candidate)
for public office in the May 19, 2026)
General Primary Election and as a)
qualified elector in the state of Georgia,)
))
Petitioners,)
))
vs.)
))
BRAD RAFFENSPERGER, in his official)
capacity as Secretary of State of the)
State of Georgia,)
))
Respondent.)
))

CIVIL ACTION
FILE NO. 26CV007174

VERIFIED PETITION FOR WRIT OF MANDAMUS
AND INJUNCTIVE RELIEF

COMES NOW Petitioners named above, by and through undersigned counsel, and file this Verified Petition for Writ of Mandamus, and Injunctive Relief against Respondent Brad Raffensperger in his official capacity as Secretary of State of Georgia, and respectfully shows the Court as follows:

INTRODUCTION AND URGENCY

1.

This emergency action seeks an immediate Temporary Restraining Order (TRO) to safeguard the current status of Georgia’s election system by compelling the Secretary of State to permit properly designated poll watchers (including those appointed pursuant to O.C.G.A. § 21-2-408 by the candidate Petitioners) and members of the State Board of Elections to observe the tabulation, aggregation, verification, and reporting of election results conducted by or under the direct authority of the Secretary of State’s office on Election Day, May 19, 2026 (tomorrow).

2.

Georgia law mandates that “officials engaged in the conducting of primaries and elections . . . shall perform their activities in public”. O.C.G.A. § 21-2-406 It specifically demands transparency in all aspects of the “conduct of the election and the counting and recording of votes.”¹ O.C.G.A. § 21-2-408(d) The Secretary’s central aggregation and reporting process on Election Night is an integral part of that process. Denying poll watchers access would irreparably alter the current transparent status of the election system, violating statutory rights of all Petitioners—including the candidate Petitioners (one running in a Cobb County local race, one in a federal congressional district race, and one in a statewide executive race) whose names appear on tomorrow’s ballot—and the elector Petitioners, and undermining public confidence.

3.

Immediate judicial intervention is required because the primary election occurs tomorrow, May 19, 2026, and any delay will render the requested observation rights meaningless.

REQUEST FOR EMERGENCY RELIEF AND EXPEDITED CONSIDERATION

4.

Petitioners request that this Court immediately hear and rule on this Emergency Petition and grant a TRO without notice pursuant to O.C.G.A. § 9-11-65(b). Under that statute, a TRO may be granted without notice only if: (1) it clearly appears from specific facts shown by affidavit or verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party can be heard in opposition; and (2) the applicant’s attorney certifies efforts made to give notice and reasons why notice should not be required.

5.

Both requirements are satisfied here. The verified facts in this Petition and the attached affidavits demonstrate that the Respondent intends to exclude poll watchers and SEB observers from the Secretary’s tabulation, aggregation, verification, and reporting processes tomorrow unless this Court acts today. Notice to Respondent is impracticable because Election Day begins at 7:00 a.m. tomorrow and any delay in granting relief will render the requested observation rights meaningless. Counsel for Petitioners has made good-faith efforts to notify

¹“Notwithstanding any other provisions of this chapter, poll watchers shall be granted access to polling places, advance voting locations, tabulation centers, and locations where absentee ballots are being verified, processed, adjudicated, and scanned and may be permitted behind the enclosed space for the purpose of observing the conduct of the election and the counting and recording of votes.” O.C.G.A. § 21-2-408(d)

Respondent's office of this filing but, given the extreme time sensitivity, notice should not be required.

6.

The standard for interlocutory injunctive relief in Georgia — which governs the TRO requested here — requires Petitioners to show: (a) a substantial likelihood of success on the merits; (b) irreparable injury if relief is not granted; (c) that the balance of equities favors Petitioners; and (d) that the public interest favors relief. *See, e.g., Martin v. Kemp*, 2018 WL 5276242 (N.D. Ga. 2018) (applying Georgia law); *see also* O.C.G.A. § 9-11-65; *SRB Holdings, LLC v. Unified Government of Athens-Clarke County*, 355 Ga. App. 115 (2020). All four factors are overwhelmingly satisfied here, as detailed below.

a. Substantial Likelihood of Success on the Merits Petitioners are virtually certain to prevail. O.C.G.A. § 21-2-406 requires that “officials engaged in the conducting of primaries and elections ... shall perform their activities in public” and the Respondent has made it clear he does not intend to comply with the law. O.C.G.A. § 21-2-408(d) expressly entitles properly designated poll watchers to access “tabulation centers” and “to observe any activity conducted at the location at which they are serving,” including “the conduct of the election and the counting and recording of votes.” County-level tabulation and the Secretary’s statewide aggregation must be performed in public. O.C.G.A. §§ 21-2-379.11(b), 21-2-483(b); Rule 183-1-12-.12. The State Election Board possesses independent statutory oversight authority (O.C.G.A. §§ 21-2-30, 21-2-31) that requires meaningful real-time access to these processes. Respondent’s refusal to admit SEB observers (as documented in recent communications from Respondent’s counsel) and his own candidacy for Governor in this very election (creating an inherent conflict of interest) only strengthen Petitioners’ statutory and equitable claims. These are clear ministerial duties enforceable by mandamus and injunctive relief. Success on the merits is not merely likely — it is compelled by the plain text of the Election Code.

b. Irreparable Injury The injury here is classic and irreparable. Election Day is tomorrow. Once county results are tabulated, aggregated, verified, and reported by the Secretary without independent observation, the transparency guaranteed by statute is permanently lost. Poll watchers and SEB observers cannot “unsee” what was hidden, nor can the public regain confidence after the fact. *See* O.C.G.A. § 21-2-412 (Superior Courts must remain available on Election Day “so long as it may appear that the process of such court will be necessary to secure a free, fair, and correct computation and canvass of votes”). No post-election remedy can restore the status quo of transparency that currently exists under Georgia law. The harm is immediate, ongoing, and incapable of monetary compensation.

c. Balance of Equities The equities tip decisively in Petitioners’ favor. Granting the TRO imposes no meaningful burden on Respondent or county officials — they need only allow credentialed poll watchers and SEB observers to stand or sit

in positions from which they can actually observe the proceedings, exactly as the Election Code already requires. Conversely, denial of the TRO will cause Petitioners and the public severe and permanent harm to their statutory observation rights. Respondent cannot credibly claim any hardship from complying with transparency statutes he is already obligated to enforce.

d. Public Interest The public interest strongly favors relief. Georgia’s democratic process depends on public confidence in the accuracy and integrity of election results — especially when the chief election official is himself a candidate for Governor in the very election being administered. Allowing full observation by poll watchers and the SEB promotes uniformity, legality, and purity of the election (O.C.G.A. § 21-2-31) and neutralizes any appearance of self-interest. Denying access would erode trust in the electoral system at the precise moment when robust, independent oversight is most critical. The public interest in transparent elections outweighs any minimal administrative inconvenience.

7.

This Court has a statutory duty to be available on Election Day and thereafter “so long as it may appear that the process of such court will be necessary to secure a free, fair, and correct computation and canvass of votes.” O.C.G.A. § 21-2-412. Uniform Superior Court Rule 6.7 further authorizes expedited consideration of emergency motions, which is plainly present here

PARTIES AND JURISDICTION

8.

Petitioner Chris Mora is a candidate for U.S. Congress for District 11 on the Republican ballot in the May 19, 2026 General Primary and a qualified elector residing in Pickens County, Georgia. Petitioner has standing as both a candidate whose election is directly at stake and as an elector with statutory observer rights.

9.

Petitioner Keli Gambrill is a candidate for Cobb County Commissioner District 1 on the Republican Party ballot in the May 19, 2026 General Primary and a qualified elector residing in Cobb County, Georgia. Petitioner has standing as both a candidate whose election is directly at stake and as an elector with statutory observer rights.

10.

Petitioner Greg Dolezal is a candidate for Lieutenant Governor on the Republican Party ballot in the May 19, 2026 General Primary and a qualified elector residing in Forsyth County, Georgia. Petitioner has standing as both a candidate whose election is directly at stake and as an elector with statutory observer rights.

11.

Petitioners JOHN DOE AND JANE DOE are individuals and qualified electors and registered voters residing in a County in the state of Georgia, whose identities are currently unknown, with a direct and substantial interest in the transparent, fair, and accurate conduct of the election process, including the Secretary's tabulation, aggregation, verification, and reporting of results, as protected by Georgia election laws and the Georgia Constitution. Plaintiff will amend this Complaint to substitute the true name upon discovery of Petitioners' identity through.

12.

Respondent Brad Raffensperger is the Secretary of State of Georgia and is sued in his official capacity. He is the chief election official charged with supervising all aspects of elections in the state (O.C.G.A. § 21-2-30 et seq.).

FACTUAL ALLEGATIONS

13.

On Election Day, May 19, 2026, county election superintendents tabulate and transmit results to the Secretary of State. The Secretary's office then performs central aggregation, verification, recording of statewide votes, and public reporting of statewide results, typically from the "Election Night Reporting Room" or equivalent facility.

14.

Political parties and candidates are statutorily entitled to designate poll watchers who must be granted access to tabulation centers and locations where votes are counted and recorded. O.C.G.A. § 21-2-408(d).

15.

O.C.G.A. § 21-2-408(d) provides: "Notwithstanding any other provisions of this chapter, poll watchers shall be granted access to polling places, advance voting locations, tabulation centers, and locations where absentee ballots are being verified, processed, adjudicated, and scanned and may be permitted behind the enclosed space for the purpose of observing the conduct of the election and the counting and recording of votes." Poll watchers "shall be entitled to observe any activity conducted at the location at which they are serving."

Respondent's Conflict of Interest

16.

Respondent Brad Raffensperger is a declared Republican candidate for Governor of Georgia in the very election at issue. He announced his candidacy in September 2025 and has been actively campaigning statewide.

17.

As Secretary of State, Respondent holds statutory supervisory authority over every county election superintendent, tabulation center, result transmission process, and statewide canvassing (O.C.G.A. §§ 21-2-30, 21-2-499).

18.

Respondent's simultaneous candidacy for Governor creates an inherent and apparent conflict of interest. This conflict materially heightens the need for robust, independent, court-enforced observation and immediate publication of results.

State Election Board's Critical Oversight Role

19.

The State Election Board ("SEB") is the independent supervisory body statutorily charged with ensuring the uniformity, legality, and purity of all primaries and elections (O.C.G.A. §§ 21-2-30, 21-2-31).

20.

Recent communications with the Secretary's representatives demonstrate that the Secretary's office intends to exclude all poll watchers – and even official representatives of the SEB - from observing these critical election integrity operations. This exclusion of the very body charged with overseeing election administration underscores the urgent need for judicial intervention.

21.

To discharge its statutory duties, the SEB (or its designees) must be granted independent, unfettered access to observe county tabulation centers, the statewide election-night reporting process, and verification of results. Respondent has a ministerial duty to facilitate such access.

22.

To ensure accurate voting results and deter potential biased reporting, independent poll watchers designated by candidates or political parties must be permitted access to all election night tabulation and reporting centers.

CAUSES OF ACTION

COUNT ONE

MANDAMUS

23.

Respondent has a clear, ministerial, and non-discretionary duty to enforce O.C.G.A. § 21-2-406 (publicly performed duties), O.C.G.A. § 21-2-408 (poll watchers), §§ 21-2-379.11(b) and 21-2-483(b) (public view of tabulation), § 21-2-493 (public canvass and prompt release), § 21-2-499 (statewide canvassing), and §§ 21-2-30/21-2-31 (SEB oversight authority). Petitioners have a clear legal right to the performance of these duties and no adequate alternative remedy. A writ of mandamus should issue compelling Respondent to ensure full observation rights — including for SEB-designated observers — and immediate publication/transmission of results.

COUNT II

TEMPORARY RESTRAINING ORDER AND INJUNCTIVE RELIEF

24.

Petitioners are entitled to immediate temporary restraining order and interlocutory/permanent injunctive relief to maintain the status quo of transparency and to enforce Respondent's ministerial duties pending final resolution of this action.

IRREPARABLE HARM

25.

Petitioners have no adequate remedy at law. Without an immediate TRO before polls open tomorrow, poll watchers and SEB observers will be excluded, irreparably destroying transparency at the final statewide step.

PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully pray that this Court:

(a) Immediately consider this Emergency Petition and issue a temporary restraining order (without notice if necessary pursuant to O.C.G.A. § 9-11-65(b)) compelling Respondent to permit all properly designated poll watchers and SEB-designated observers/monitors to observe the Secretary of State's tabulation, aggregation, verification, and reporting of election results on Election Day, May 19, 2026, with seating/standing as close as practicable to observe activities;

(b) Order Respondent to immediately direct all county election superintendents and his own staff to admit qualified poll watchers and SEB-

designated observers/monitors to all tabulation centers, the central election-night reporting room, and any location where county results are verified or aggregated prior to public release;

(c) Set this matter for the earliest possible hearing on an interlocutory injunction;

(d) Issue such further temporary and permanent injunctive relief as necessary to maintain the status quo of transparency;

(e) Award Petitioners their costs, expenses, and reasonable attorney's fees as permitted by law; and

(f) Grant such other and further relief as the Court deems just and proper.

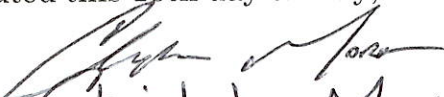
This 18th day of May, 2026.

/s/ David E. Oles
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VERIFICATION

I, Christopher Mora, do hereby verify under penalty of perjury that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge and belief.

Executed this 18th day of May, 2026, by:

Sign: 
Christopher Mora

Print Name: Christopher Mora

Sworn to and subscribed before me this 18th day of May, 2026.



Notary Public My Commission Expires: mar 15 2030

