

1 IN THE SUPERIOR COURT OF FULTON COUNTY

2 STATE OF GEORGIA


3 STATE OF GEORGIA ) CRIMINAL ACTION  
4 )  
5 vs. ) CASE NO.: 23SC190514  
6 )  
7 JENNA LYNN ELLIS, )  
8 Defendant. )

8 TRANSCRIPT OF NEGOTIATED PLEA  
9 BEFORE THE HONORABLE SCOTT MCAFEE  
10 SUPERIOR COURT JUDGE  
11 JUSTICE CENTER TOWER, COURTROOM 5A  
12 ATLANTA JUDICIAL CIRCUIT  
13 TUESDAY, OCTOBER 24, 2023

12 APPEARANCES:

13 On Behalf of the State: NATHAN WADE, ESQ.  
14 Special Prosecutor  
15 Wade & Campbell Firm  
16  
17 On Behalf of the State: DAYSHA YOUNG, ESQ.  
18 Executive District Attorney  
19 136 Pryor Street  
20 3rd Floor  
21 Atlanta, GA 30303  
22 On Behalf of the Defendant: FRANKLIN HOGUE, ESQ.  
23 LAURA HOGUE, ESQ.  
24 Hogue & Hogue LLP  
25

KIMESHA E. SMITH, CCR  
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**I N D E X**

**EXHIBIT (S)**

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**\*\*\***

**TRANSCRIPT LEGEND**

- uh-huh/mm-hm.....Affirmative response
- uh-uh/mm-mm.....Negative response
- ... (ellipsis).....Trailing off
- (dashes).....Interruption or broken sentence structure
- (ph).....Spelled phonetically
- [sic].....In its original form

**\*\*\***



1           agreed to between the parties?

2           **MR. WADE:** Everything is agreed to and negotiated,  
3           Judge.

4           **THE COURT:** All right. Well, if that's the case  
5           then, why don't we have Ms. Young come back up to a  
6           microphone either at the jury box or the witness, and we  
7           can go through the colloquy.

8           **MR. WADE:** Judge?

9           **THE COURT:** Yes, sir.

10          **MR. WADE:** We want to point out that also Ms. Ellis  
11          also has counsel out of state. Mr. Melito, he's present  
12          in the courtroom, and he wanted to get permission to come  
13          and have a seat at counsel's table.

14          **THE COURT:** Most certainly.

15          Sir, I think we also need you to spell your name for  
16          the record just so we're clear.

17          **MR. MELITO:** Yes, Your Honor. It's M-e-l-i-t-o.

18          **THE COURT:** Okay. Welcome.

19          All right. Then let's get into it, Mr. Hogue. Do  
20          you have a preference between the podium or at counsel's  
21          table?

22          **MR. HOGUE:** If we could just stay here if that's all  
23          right with Your Honor.

24          **THE COURT:** It sounds fine to me.

25          All right. Ms. Young, whenever you're ready.

1                   **MS. YOUNG:** Ma'am can -- Ms. Ellis, can you please  
2 raise your right hand?

3                   **THE DEFENDANT:** (Defendant complies.)

4                   **MS. YOUNG:** Do you swear or affirm that the  
5 testimony you're about to give shall be the truth, and  
6 the whole truth, so help you God?

7                   **THE DEFENDANT:** I do.

8 **BY MS. YOUNG:**

9                   Q. And are you the Jenna -- Jenna Lynn Ellis that's  
10 named in Accusation 23SC190514 charged with one count of aiding  
11 and abetting false statements and writing?

12                   A. Yes, ma'am.

13                   Q. And is this your true and correct legal name?

14                   A. Yes.

15                   Q. Are you under the influence of any drugs, alcohol, or  
16 medication today?

17                   A. No.

18                   Q. Is there any medication that you should be taking  
19 that you have not taken today?

20                   A. No.

21                   Q. How old are you, and how far did you go in school?

22                   A. Thirty-eight years old. 39 on November 1st so very  
23 soon. And I completed my Juris Doctor degree.

24                   Q. And are you able to read, write, and understand the  
25 English language?

1 A. Yes.

2 Q. Have you gone over this accusation with your  
3 attorneys Mr. and Ms. Hogue?

4 A. I have.

5 Q. Do you understand that you're charged with one count  
6 of aiding and abetting false statements and writings?

7 A. Yes.

8 Q. Have you gone over the minimum and maximum sentence  
9 with your attorneys?

10 A. I have.

11 Q. And do you understand that that carries a minimum  
12 penalty of one year to a maximum penalty of five years to  
13 serve?

14 A. Yes.

15 Q. Do you understand that you have the right to plead  
16 guilty or not guilty to this charge, and if you plead not  
17 guilty, you have the right to remain silent and move forward  
18 with a jury trial?

19 A. Yes.

20 Q. Have you reviewed the waiver of rights with your  
21 attorneys?

22 A. I have.

23 Q. And have you gone over that waiver of rights and also  
24 signed it --

25 A. I --

1 Q. -- along with your attorneys?

2 A. I have.

3 Q. Have you had enough time to speak with your attorneys  
4 in regards to the facts in this case and any defenses that you  
5 may have if you were to have gone to trial?

6 A. Yes.

7 Q. Do you need any more time to speak with them?

8 A. No.

9 Q. And are you satisfied with their services?

10 A. Very much.

11 **MS. YOUNG:** Mr. Hogue, do you waive formal reading  
12 of the accusation against your client?

13 **MR. HOGUE:** We do.

14 **MS. YOUNG:** Do you waive any defects that might lay  
15 within the accusation?

16 **MR. HOGUE:** We do.

17 **BY MS. YOUNG:**

18 Q. Ms. Ellis, have you been arrested on these charges?

19 A. Yes.

20 Q. And it's the State's understanding that there are no  
21 other outstanding related warrants to this charge. Do you know  
22 of any to your knowledge?

23 A. I do not.

24 Q. Do you understand that this is a negotiated plea,  
25 which means the State and your attorneys have reached a



1 recommendation to make to the Court?

2 A. Yes.

3 Q. Do you understand that the Court is not bound by that  
4 recommendation and could sentence you to the maximum penalty  
5 for this charge?

6 A. Yes.

7 Q. Do you understand that if the Court does not follow  
8 the State's recommendation, then you can withdraw your guilty  
9 plea and move forward with a jury trial?

10 A. Yes.

11 Q. Do you understand that the conditions of this plea  
12 involves five years of probation, that you pay a \$5,000 of  
13 restitution to the Georgia Secretary of State within 30 days?  
14 And it's in my understanding that you're asking to be treated  
15 as a first offender?

16 A. Yes.

17 Q. Do you understand that a special conditions of this  
18 probation is that you complete a hundred hours of community  
19 service, that you write an apology letter to the citizens of  
20 the state of Georgia, which you have already done.

21 **MS. YOUNG:** And the State will put that into  
22 evidence as State's Exhibit 1 for the Court.

23 **BY MS. YOUNG:**

24 Q. That you testify truthfully at all hearings or trials  
25 involving codefendants, that you have no communications with

1 codefendants, witnesses, or the media until all cases have been  
2 closed?

3 A. Yes.

4 Q. That you must continue to provide additional recorded  
5 statements and affidavits to the State as required, that you  
6 must also continue to provide any requested documents or  
7 evidence subject to any lawful privileges asserted in good  
8 faith, that you shall not post anything on social media,  
9 including through any agents about this case until the  
10 conclusion of all trials and appeals, that you must continue to  
11 fully cooperate with prosecutor included but not limited to  
12 participating in interviews with prosecutors, appearing for  
13 evidentiary hearings, and assisting in pretrial matters. Do  
14 you understand that these are the conditions of the  
15 recommendation that the State is making to the Court?

16 A. I do.

17 Q. It is my understanding that -- have you gone over the  
18 first offender status with your attorneys?

19 A. I have.

20 Q. And you're asking this Court to be treated as a first  
21 offender?

22 A. Yes, ma'am.

23 Q. Have you pled guilty or nolo to ever in this state of  
24 Georgia or any other jurisdiction?

25 A. No.

1 Q. Have you ever been sentenced for any crime: felony  
2 or misdemeanor under the First Offender Act?

3 A. No.

4 Q. And you've gone over the First Offender Act with your  
5 attorneys, and do you understand that if you violate the terms  
6 of your first offender sentence or commit a new offense while  
7 on first offender probation, your first offender status could  
8 be revoked, and you could be adjudicated guilty, and you could  
9 be resentenced up to the maximum sentence for this charge in  
10 the accusation?

11 A. I understand.

12 Q. Do you understand that this guilty plea may be used  
13 to enhance sentencing of other -- any other convictions in this  
14 jurisdiction as well as other jurisdictions including the  
15 federal courts?

16 A. Yes.

17 Q. Do you understand that you are being placed on  
18 probation, and you cannot violate your probation by committing  
19 any other crimes in any governmental unit or any -- or violate  
20 any special conditions of your probation?

21 A. Yes.

22 Q. Do you understand that if violate the probation or  
23 any special conditions, that you will be subject to revocation  
24 for the balance of the sentence?

25 A. Yes.

1 Q. Do you understand that you are not allowed to possess  
2 any or use any firearms while you're on probation?

3 A. Yes.

4 Q. Do you understand that if you are not a United States  
5 citizen, this guilty plea will affect your immigration status  
6 and will result in deportation?

7 A. I understand.

8 Q. Do you understand that there may be other adverse or  
9 unfavorable consequences as a result of this guilty plea just  
10 as there would be if you were found guilty at trial? For  
11 example, your guilty plea may be used -- may affect your right  
12 to vote, your right to hold office, your right to serve as a  
13 jury -- as a juror, the right to obtain a passport, the right  
14 to receive, possess, or transport a firearm, the ability to  
15 obtain employment, or your membership for the bar in this state  
16 or any other states?

17 A. I understand.

18 Q. Do you understand that you are waiving all defenses  
19 including any mental health defenses by entering this guilty  
20 plea?

21 A. Yes.

22 Q. Do you understand that if you went to trial, you  
23 would have the right to a trial by jury, the right to see,  
24 hear, and confront witnesses called to testify against you, the  
25 right to testify or remain silent and not incriminate yourself?

1           A.    Yes.

2           Q.    Do you understand that by pleading guilty, you're  
3 giving up the following rights: the right to a jury trial, the  
4 right to remain silent and not incriminate yourself, the right  
5 to confront witnesses, the right to -- of assistance of counsel  
6 hired by you or appointed by the Court, the right to the  
7 presumption of innocence, the right to testify on your own  
8 behalf and to present other evidence, the right to subpoena  
9 witnesses and compel production of evidence, the right to have  
10 the charges against you proven guilty beyond a right -- beyond  
11 a reasonable doubt, and the right to appeal if convicted of  
12 these charges?

13          A.    Yes.

14          Q.    Has anyone forced, threatened, promised, or coerced  
15 you in any way to enter into this guilty plea?

16          A.    No, ma'am.

17          Q.    Is it your decision to waive these rights and enter a  
18 guilty plea because you are, in fact, guilty?

19          A.    It is.

20          Q.    How do plead to aiding and abetting false statements  
21 and writings under Accusation 23SC190514?

22          A.    Guilty.

23          Q.    And is this your signature along with Mr. Hogue's  
24 signature on the accusation?

25          A.    It is.

1 Q. And is this guilty plea freely and voluntarily given  
2 with full knowledge of the charges against you?

3 A. It is.

4 Q. Do you understand that you may have only limited  
5 rights to appeal this guilty plea?

6 A. I do.

7 Q. And do you understand that you would have four years  
8 from today's date to file a habeas corpus as -- in regards to  
9 this guilty plea?

10 A. Yes.

11 **MS. YOUNG:** Your Honor, the State -- the accusation  
12 has been signed; the guilty plea has been entered.  
13 According to the State's investigation, Ms. Ellis does  
14 not have any criminal history, so she would be eligible  
15 for first offender, which the State has no objection to.

16 **THE COURT:** All right. Before we get into a  
17 colloquy --

18 **MS. YOUNG:** Yes.

19 **THE COURT:** -- I'd ask, Mr. Hogue, if you could take  
20 back up the waiver form. There's actually a spot on here  
21 to circle about the first offender status.

22 **MR. HOGUE:** Oh, okay. I moved too fast. Thank you,  
23 Your Honor.

24 **THE COURT:** Thank you, sir.

25 **MS. YOUNG:** If this case had gone to trial, the

1 State would have shown the following: On December 3rd of  
2 2020, the defendant did appear before a meeting of a  
3 Georgia Senate Judiciary Subcommittee in Fulton County,  
4 Georgia with codefendants William Rudolph Louis Giuliani,  
5 Ray Stallings Smith III, and other individuals associated  
6 with Donald J. Trump for President Incorporated also  
7 known as The Trump Campaign.

8 During the Subcommittee meeting, Guiliani and Smith  
9 acting as attorneys for The Trump Campaign made the  
10 following false statements: One, that at least 96,600  
11 mail-in ballots were counted in the November 3rd, 2020,  
12 presidential election in Georgia, despite there being no  
13 record of those ballots having been return to a county  
14 election office.

15 Two, that 2,506 felons voted illegally in the  
16 November 3rd, 2020, presidential election in Georgia.

17 Three, that 66,248 underage people illegally  
18 registered to vote before their 17th birthday prior to  
19 the November 3rd, 2020, presidential election in Georgia.

20 Four, that at least 2,423 people voted in the  
21 November 3rd, 2020, presidential election in Georgia who  
22 were not listed as registered to vote.

23 Five, that 1,043 people voted in the November 3rd,  
24 2020, presidential election in Georgia who had illegally  
25 registered to vote using a post office box.

1           Six, that 10,315 or more dead people voted in the  
2 November 3rd, 2020, presidential election in Georgia.

3           And seven, that Fulton County election workers at  
4 State Farm Arena ordered a poll watcher and members of  
5 the media to leave the tabulation area on the night of  
6 November 3rd, 2020, and continue to operate after  
7 ordering everyone to leave.

8           The false statements were within the jurisdiction of  
9 the Georgia Secretary of State and the Georgia Bureau of  
10 Investigations who were each conducting investigations  
11 into allegations of fraud in the November 3rd, 2020,  
12 presidential election in Georgia.

13           Once completed, these and other investigations are  
14 firmly -- affirmatively determined that there was no  
15 widespread fraud that could have affected the outcome of  
16 the 2020 presidential election in Georgia.

17           The false statements were made with reckless  
18 disregard of the truth and with conspicuous purpose to  
19 avoid learning the truth. The defendant attended and  
20 abetted Giuliani, Smith in making these false statements  
21 by assisting with the execution of the December 3rd,  
22 2020, Senate Judiciary Committee meeting that was held in  
23 Fulton County, Georgia.

24           The false statements were used as part of a plan by  
25 the Trump Campaign to solicit the Georgia General



1 Assembly to disregard the certified results of the  
2 presidential election in this State and instead to  
3 unlawfully appoint nonelected presidential electors in  
4 violation of their oaths to the Georgia Constitution and  
5 to the United States Constitution.

6 Similarly, false statements and solicitations were  
7 made to state legislatures in Arizona, Michigan, and  
8 Pennsylvania, and the defendant was present and assisted  
9 with the execution of those meetings. And she was in  
10 attendance with Giuliani in Arizona and Michigan and  
11 Pennsylvania.

12 That would be the factual basis in which the State  
13 would have proceeded on, Your Honor.

14 **THE COURT:** All right. Anything further from the  
15 State, Ms. Young?

16 **MS. YOUNG:** Just that we file a motion to nolle pros  
17 and present that over to the Court under the original  
18 indictment.

19 **THE COURT:** All right. Turning to Mr. Hogue. Just  
20 a few matters of housekeeping before I let you have the  
21 floor if there's anything else you want to add. Would  
22 you be requesting automatic sealing on this first  
23 offender disposition?

24 **MR. HOGUE:** Yes. That's one of my two notes here  
25 that I ask the Court if you would do that under

1 42-8-62-1(b), please.

2 **THE COURT:** All right. And was part of this  
3 negotiated resolution is there anything to note here  
4 about a behavioral incentive date?

5 **MS. YOUNG:** Yes, Your Honor. That's going to be  
6 three years.

7 **THE COURT:** Mr. Hogue, is that right?

8 **MR. HOGUE:** That's correct, Your Honor.

9 **THE COURT:** Okay. Anything else, Mr. Hogue, that  
10 you would like to add?

11 **MR. HOGUE:** Yes, if you could make a note that this  
12 is not a crime of moral turpitude, that would assist us  
13 in other venues perhaps.

14 **THE COURT:** And is that an issue of negotiation  
15 between the parties? I know that has differed from  
16 resolution to resolution here, so where are we with that?

17 **MS. YOUNG:** It is not, Judge. We're going ask that  
18 the same verbiage that has been put on the other  
19 dispositions be put on this disposition as well, which I  
20 believe it says, like, the defense and the State have  
21 agreed that this is not a crime of moral turpitude.

22 **THE COURT:** Okay.

23 **MS. YOUNG:** And I will give that language to  
24 Ms. Vortice when we leave.

25 **THE COURT:** So just to clarify, it's not a point of

1           contention between the parties as being jointly  
2           recommended, this language?

3           **MS. YOUNG:** Yes, Judge.

4           **THE COURT:** And is that the case for -- cause I  
5           think we needed to enter amended sentences on the prior  
6           resolutions reflecting that. Is that the same for all  
7           three prior resolutions in this case?

8           **MS. YOUNG:** That is correct, Your Honor.

9           **THE COURT:** Okay. All right. Then if that is the  
10          joint recommendation, I'll -- that would be part of the  
11          global recommendation.

12          Understand, Mr. Hogue?

13          **MR. HOGUE:** Your Honor, the only other thing is if  
14          the Court is inclined to accept the negotiated plea,  
15          Ms. Ellis would like to exercise her right of allocution  
16          and make a brief statement to the Court.

17          **THE COURT:** All right. So I think I would typically  
18          have that as part of the record before we finalize  
19          everything. So at this point, Ms. Ellis, you're not  
20          required to do so in any way, but if you would like to  
21          add anything to the record or address the Court, you're  
22          certainly willing to do -- able to do so and now would be  
23          the appropriate time.

24          **MR. HOGUE:** And, Your Honor, if I may approach, I  
25          have it in writing what she's about to say, and I can

1 give it to the Court.

2 **THE COURT:** I have one. I have one attached to  
3 State's Exhibit 1; is that the same?

4 **MR. HOGUE:** Oh, yeah. You have it already.

5 **THE COURT:** Okay.

6 **MR. HOGUE:** That's it.

7 **THE COURT:** And so would there be -- would the  
8 intention be that this also be going into the record as  
9 State's Exhibit 1 --

10 **MR. HOGUE:** Yes.

11 **THE COURT:** -- the written form?

12 **MR. HOGUE:** Yes, please.

13 **THE COURT:** Okay. All right. Thank you, Mr. Hogue.

14 **THE DEFENDANT:** Thank you, Your Honor, for the  
15 opportunity to address the Court. As an attorney, who is  
16 also a Christian, I take my responsibilities as a lawyer  
17 very seriously, and I endeavor to be a person of sound  
18 moral and ethical character in all of my dealings.

19 In the wake of the 2020 presidential election, I  
20 believed that challenging the results on behalf of  
21 President Trump should be pursued in a just and legal  
22 way. I endeavored to represent my client to the best of  
23 my ability. I relied on others, including lawyers with  
24 many more years of experience than I, to provide me with  
25 true and reliable information, especially since my role

1 involved to speaking to the media and to legislators in  
2 various states.

3 What I did not do but should have done, Your Honor,  
4 was to make sure that the facts the other lawyers alleged  
5 to be true were, in fact, true. In the frenetic pace of  
6 attempting to raise challenges to the election in several  
7 states, including Georgia, I failed to do my due  
8 diligence.

9 I believe in and value election integrity. If I  
10 knew then what I know now, I would have declined to  
11 represent Donald Trump in these post-election challenges.  
12 I look back on this whole experience with deep remorse.

13 For those failures of mine, Your Honor, I have taken  
14 responsibility already before the Colorado bar, who  
15 censured me, and I now take responsibility before this  
16 Court and apologize to the people of Georgia. Thank you.

17 **THE COURT:** And thank you, Ms. Ellis, for sharing  
18 that. All too often, I don't get to hear the perspective  
19 of the accused in this -- in these cases and so that's  
20 appreciated.

21 **THE DEFENDANT:** Thank you, Your Honor.

22 **THE COURT:** Is there anything else, Mr. Hogue, that  
23 you would like to have as part of the record?

24 **MR. HOGUE:** No, Your Honor.

25 **THE COURT:** Ms. Ellis, I have a few questions that I

1 have to go over with you: Do you understand the nature  
2 of this charge that as it's been reaccused against you?

3 **THE DEFENDANT:** I do.

4 **THE COURT:** And you heard the rights that you would  
5 waive by going forward with this plea. Do you still wish  
6 to waive those rights?

7 **THE DEFENDANT:** Yes.

8 **THE COURT:** And are you pleading guilty today  
9 because you agree that there is a factual basis as  
10 outlined by the State to support this guilty plea?

11 **THE DEFENDANT:** I do.

12 **THE COURT:** Mr. Hogue, are you satisfied your client  
13 is competent and that this plea is understanding,  
14 voluntary and that there is a sufficient factual basis to  
15 support it?

16 **MR. HOGUE:** I am, Your Honor.

17 **THE COURT:** Ms. Ellis, do you have a weapons carry  
18 license of any kind in this state or any other?

19 **THE DEFENDANT:** I do not.

20 **THE COURT:** Well, I find that there is a sufficient  
21 factual basis for the charges, and I find that this plea  
22 of guilty is knowingly, voluntarily, and intelligently  
23 entered.

24 Ms. Ellis, you've asked to be sentenced under the  
25 First Offender Act, which is a request that I will

1 approve, and I'll withhold adjudication. But I do have  
2 to notify you that you can't withdraw your plea simply  
3 because you don't abide by the terms of the sentence.  
4 And the terms of this sentence would be as negotiated and  
5 agreed to by both parties. On the sole count of aiding  
6 and abetting false statements and writings, the sentence  
7 would be five years probation. You're to pay a \$5,000  
8 fine to the Georgia Secretary of State's Office within 30  
9 days of the entry of the final disposition in this case.  
10 You're to complete a hundred hours of community service.  
11 You are to cooperate with the State and testify  
12 truthfully in any further legal proceedings in this case.  
13 And you're not to have any contact either personally or  
14 through other agents with the media or any codefendants  
15 or witnesses, I believe, in this case as was outlined.  
16 We will include the language that is sent to us  
17 subsequently from Ms. Young of course with Mr. Hogue  
18 attached on that email to make sure that it is the exact  
19 language as agreed to by both parties.

20 As requested by counsel as a first offender  
21 sentence, this would be automatically sealed upon entry.  
22 And there'll be a behavioral incentive date of three  
23 years as well.

24 I've been provided a motion to nolle pros the counts  
25 on the underlining indictment in 23SC188947, and I'm

1 signing that now.

2 Is there anything else from the State that you  
3 believe we need to have on the record in this case?

4 **MS. YOUNG:** Judge, and if I misspoke, I said it  
5 should be a \$5,000 restitution because the max fine is  
6 only a \$1,000.

7 **THE COURT:** Excuse me. That's right.

8 **MS. YOUNG:** I may have misspoken.

9 **THE COURT:** No, no. That was my mistake. So it is  
10 a \$5,000 restitution; I didn't hear a fine.

11 **MS. YOUNG:** There is no fine, Judge.

12 **THE COURT:** Okay. Understood.

13 Anything else I need to clarify or may have --  
14 obviously, we will -- as I mentioned, go off the language  
15 that we're provided subsequent to this hearing.

16 **MS. YOUNG:** Yes, Judge.

17 **THE COURT:** Anything else from the State though?

18 **MS. YOUNG:** No, Your Honor.

19 **THE COURT:** Okay. And, Mr. Hogue, anything else we  
20 should have on the record? Take your time.

21 **MR. HOGUE:** One moment, Your Honor, please. Your  
22 Honor, it's our understanding that there won't be any  
23 travel restrictions as a part of her probation. I wanted  
24 to just make that clear on the record if there's no  
25 misunderstanding or dispute about that. She lives out of



1 state.

2 **THE COURT:** No, understood. This has been -- this  
3 is sometimes a challenge with out-of-state residents. We  
4 have to have things transition and be moved to the  
5 out-of-state probation offices, and they have to accept  
6 it as well. And so whatever we can do to facilitate that  
7 process, I would like to do. That may mean that if she  
8 has a flight today, I don't know if that's going to be  
9 possible. But if I could check in with probation, maybe  
10 we could get some insight on predictions of what we can  
11 do to get this case transferred to Colorado, I believe,  
12 you said it was.

13 **MR. HOGUE:** No, she lives in Florida now.

14 **THE COURT:** In Florida. Okay.

15 **MR. HOGUE:** And we do have flights booked for this  
16 afternoon if that's --

17 **THE COURT:** Okay. Let's --

18 **MR. HOGUE:** -- if that's possible.

19 **THE COURT:** Well, let's see what we can do.

20 **MS. OKUZU:** All right. So we basically would need a  
21 police report or affidavit as we spoke. I would just  
22 need to take information from her, a picture, and a \$100  
23 money order, and then we can kind of get the process  
24 started. But until Florida states that they can accept  
25 her case, she has to stay within Georgia. So if we have

1 everything we need, we could possibly have her report  
2 today at 2. But if we don't have the indictment the  
3 affidavit, she might have to stay until we have all of  
4 that.

5 **THE COURT:** All right. And when you say -- we'll  
6 sort through this, Mr. Hogue.

7 **MR. HOGUE:** All right. Thank you.

8 **THE COURT:** When you say she -- after she reports at  
9 2 o'clock today, potentially --

10 **MS. OKUZU:** Mm-hm.

11 **THE COURT:** How does that affect the process?

12 **MS. OKUZU:** So they're going to try to get it  
13 started with Florida, and then if Florida states that we  
14 have everything and they can take it, she possibly can go  
15 back to Florida today. But if we don't have everything  
16 that we need in Florida doesn't state that they can take  
17 her, then she would have to stay until they give us the  
18 go-ahead.

19 **THE COURT:** Okay. Mr. Hogue, what time is that  
20 flight?

21 **MR. HOGUE:** It's at 1:55 p.m., Your Honor, I'd like  
22 to ask the Court to exercise its authority and allow her  
23 to travel today. She's been on bond this entire time,  
24 hasn't been that long. But she's abided by all the  
25 conditions; she's not a flight risk. She's going to

1 report whenever and wherever. We had thought perhaps  
2 would have this done yesterday; it wouldn't have been a  
3 problem that it is now.

4 **THE COURT:** Okay. And any thoughts from the State  
5 on including some kind of language allowing some  
6 flexibility here on making sure the probation paperwork  
7 is in order?

8 **MR. WADE:** Judge, we don't have any objection. We  
9 stand on moot on it and let the Court make its decision.  
10 Ms. Ellis, has complied with everything the State has  
11 asked.

12 **THE COURT:** Okay. I certainly am amenable to that,  
13 and I agree that I don't think flight from the  
14 jurisdiction is an issue here. So I -- we can follow up  
15 and see if we can find other examples and exactly what  
16 and how that needs to look, but we'll work on that after  
17 we conclude here.

18 **MR. HOGUE:** All right.

19 **THE DEFENDANT:** Thank you.

20 **THE COURT:** All right. Anything else? I already  
21 checked in with the State.

22 Last call over to Mr. Hogue?

23 **MR. HOGUE:** We're all good; we're good. Thank you,  
24 Your Honor.

25 **THE COURT:** Okay. Thank you, sir.

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Good luck, Ms. Ellis. And we'll be off the record.  
(Proceedings concluded at 9:58 a.m.)

To the People of Georgia:

I apologize for my actions that  
gave rise to this indictment.

Sincerely,

Jenna Ellis  


Thank you, your honor, for the opportunity to address the court. As an attorney, who is also a Christian, I take my responsibilities as a lawyer seriously and I endeavor to be a person of sound moral and ethical character in all my dealings.

In the wake of the 2020 election, I believed that challenging the results on behalf of President Trump should be pursued in a just and legal way. I endeavored to represent my client to the best of my ability. I relied on others, including lawyers with many more years of experience than I, to provide me with true and reliable information, especially since my role involved speaking to the media and to legislators in various states.

What I did not ~~to~~ do but should have done, your honor, was to make sure that the facts other lawyers alleged to be true were in fact true. In the frenetic pace of attempting to raise challenges to the election in several states, including Georgia, I failed to do my due diligence.

I believe in and value election integrity. If I knew then what I know now, I would have declined to represent Donald Trump in these post-election challenges. I look back on this whole experience with deep remorse.

For those failures of mine, your honor, I have taken responsibility before the Colorado bar, who censured me. And I now take responsibility before this court and apologize to the people of Georgia.

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**C E R T I F I C A T E**

STATE OF GEORGIA:

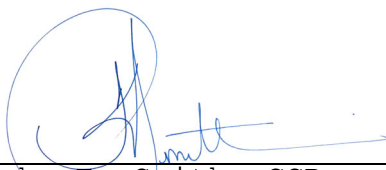
COUNTY OF FULTON:

I do hereby certify that the foregoing proceedings were recorded by me on the 24th day of October, 2023, and the foregoing pages represent a true, correct, and complete record of said proceedings (and exhibits admitted, if applicable).

I further certify that I am not related to the parties to this action by blood or marriage, nor am I financially interested in the outcome of this matter.

This certification is expressly withdrawn and denied upon the disassembly or photocopying of the foregoing transcript, or any part thereof, including exhibits, unless said disassembly or photocopying is done by the undersigned official court reporter and electronic signature and seal is attached thereto.

This, the 8th day of January, 2024.



\_\_\_\_\_  
Kimesha E. Smith, CCR  
Certification No. 4731-2396-0756-6336  
Superior Court of Fulton County  
Atlanta Judicial Circuit

