

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ROBERT L. “ROBB” PITTS, et al.,

Petitioners,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.
1:26-MI-00012-JPB

ORDER

This matter is before the Court on Robert L. “Robb” Pitts and the Fulton County Board of Registration and Elections’ (collectively, “Petitioners”) Emergency Motion for Return of Property [Doc. 1].

On January 28, 2026, after obtaining a search warrant, agents with the Federal Bureau of Investigation seized 656 boxes of election records from the office of the Clerk of the Superior Court of Fulton County, Georgia. On February 5, 2026, Petitioners filed the instant motion. In their motion, Petitioners asked the Court to order the return of the seized items pursuant to Federal Rule of Criminal Procedure 41(g). Id.

Petitioners argued that the items should be returned because they were seized in “callous disregard” for the Fourth Amendment. [Doc. 1-1, pp. 2–4; 15–

19]. Specifically, Petitioners claimed that the seizure violated their Fourth Amendment rights because the affidavit used to obtain the search warrant “likely recycled . . . discredited allegations” of voter fraud. *Id.* at 16–17. However, because the affidavit was still under seal when Petitioners filed their motion, these arguments were based on what Petitioners thought the affidavit would say, rather than actual knowledge of its contents.

As of the date of this Order, the United States of America has filed a redacted copy of the search warrant materials. [Doc. 22]. Given that the affidavit is now available for Petitioners’ review, they are **DIRECTED** to inform the Court whether they wish to continue to pursue relief under Rule 41(g) and, if so, whether they will file an amended motion that relies on the contents of the affidavit.

SO ORDERED this 10th day of February, 2026.



J. P. BOULEE
United States District Judge