

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

DONALD JOHN TRUMP,
RUDOLPH WILLIAM LOUIS GIULIANI,
JOHN CHARLES EASTMAN,
MARK RANDALL MEADOWS,
KENNETH JOHN CHESEBRO,
JEFFREY BOSSERT CLARK,
JENNA LYNN ELLIS,
RAY STALLINGS SMITH III,
ROBERT DAVID CHEELEY,
MICHAEL A. ROMAN,
DAVID JAMES SHAFER,
SHAWN MICAH TRESHER STILL,
STEPHEN CLIFFGARD LEE,
HARRISON WILLIAM PRESCOTT FLOYD,
TREVIAN C. KUTTI,
SIDNEY KATHERINE POWELL,
CATHLEEN ALSTON LATHAM,
SCOTT GRAHAM HALL,
MISTY HAMPTON a/k/a EMILY MISTY HAYES
Defendants.

CASE NO.

23SC188947

**STATE'S MOTION TO REVOKE BOND CONCERNING
DEFENDANT HARRISON WILLIAM PRESCOTT FLOYD**

COMES NOW, the State of Georgia, by and through Fulton County District Attorney Fani T. Willis, and requests that this Court enter an order revoking the bond previously granted to Defendant Harrison William Prescott Floyd and in support says as follows:

1. On August 14, 2023, a Fulton County grand jury returned an indictment charging the Defendant with Violation of the Georgia RICO (Racketeer Influenced and Corrupt Organizations) Act in violation of O.C.G.A. § 16-14-4(c), Conspiracy to Commit Solicitation of False Statements and Writings in violation of O.C.G.A. §§ 16-4-8, 16-4-7,

& 16-10-20, and Influencing Witnesses in violation of O.C.G.A. § 16-10-93(b)(1)(A). On August 24, 2023, the Defendant surrendered to the Fulton County Jail, prior to bond being set, and was booked in pursuant to a grand jury warrant.

2. On August 29, 2023, the Court entered a consent bond order, *See Exhibit A*, “Consent Bond Order,” setting bail and ordering the Defendant to comply with certain conditions of release, including, without limitation, the following:
 - a. The Defendant shall perform no act to intimidate any person known to him to be a codefendant or witness in this case or to otherwise obstruct the administration of justice.
 - b. The Defendant shall not communicate in any way, directly or indirectly, about the facts of this case with any person known to him or her to be a codefendant in this case except through his or her counsel.
 - c. The Defendant shall not communicate in any way, directly or indirectly, about the facts of this case with any person known to him or her to be a witness in this case except through his or her counsel.
3. Since his release from custody, the Defendant has engaged in numerous intentional and flagrant violations of the conditions of release ordered by the Court.
4. Since November 1, 2023, the Defendant has publicly tweeted multiple times from the Twitter account @hw_floyd in an effort to intimidate codefendants and witnesses, to communicate directly and indirectly with codefendants and witnesses, and to otherwise obstruct the administration of justice. The Defendant’s Twitter account has approximately 25,000 followers who can view his public tweets.

5. On November 1, 2023, the Defendant tweeted the following to witnesses Brad Raffensperger and Gabriel Sterling and tagged their Twitter accounts, which constituted an act to intimidate known witnesses and direct communication with known witnesses about the facts of the case, in violation of conditions of release:



6. On November 6, 2023, the Defendant participated in a video-recorded and widely disseminated interview on the Conservative Daily podcast. During the interview, the Defendant discussed the facts of this case and communicated indirectly to codefendant and witness Jenna Ellis by discussing her guilty plea, in violation of conditions of release. The Defendant stated the following:

President Trump was underserved by people like her. People who would go into the Oval Office and tell him one thing and then behind his back they would do another ... I'm not a lawyer. I'm not a Harvard J.D. But guess who is? Jenna Ellis, right. She literally, if she truly believed everything that she was saying, she could have defended her own self. She didn't need a quarter of a million dollars of people's hard-earned money to be raised offline. You know? And it doesn't take a quarter of a million dollars to accept a plea deal either. Or to deny one. Ok? So she just showed who she really is.

7. In addition to participating in the above referenced interview, on November 6, 2023, the Defendant tweeted the following link to the interview to amplify its viewership:



8. On November 7, 2023, the Defendant tweeted the following to witnesses Brad Raffensperger and Gabriel Sterling and tagged their Twitter accounts, which constituted an act to intimidate known witnesses and direct communication with known witnesses about the facts of the case, in violation of conditions of release:

Harrison Floyd 🇺🇸
@hw_floyd

WE WANT THE TRUTH !!!!!

@GaSecofState , @GabrielSterling , @FultonCountyDA

Its Accountability Time 🕒

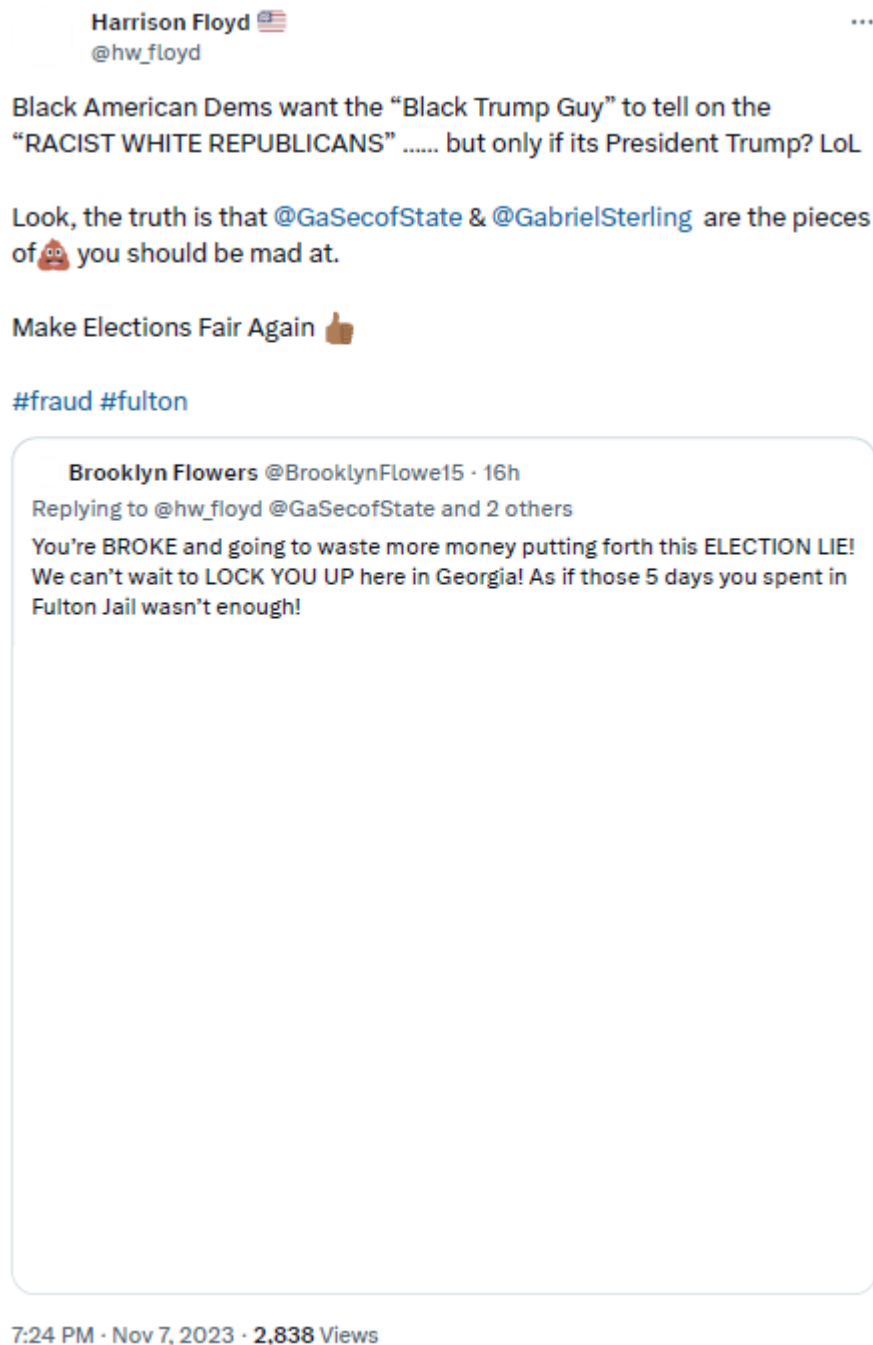
Unseal the Ballots 🗳️

#fraud #fultoncounty #Georgia #VoteRepublican



10:37 AM · Nov 7, 2023 · 2,014 Views

9. On November 7, 2023, the Defendant tweeted the following to witnesses Brad Raffensperger and Gabriel Sterling and tagged their Twitter accounts, which constituted an act to intimidate known witnesses and direct communication with known witnesses about the facts of the case, in violation of conditions of release:



10. On November 8, 2023, the Defendant tweeted the following to witness Brad Raffensperger and tagged his Twitter account, which constituted an act to intimidate a known witness and direct communication with a known witness about the facts of the case, in violation of conditions of release:



11. On November 13, 2023, the Defendant tweeted the following to codefendant and witness Jenna Ellis and to witness Dan Scavino and tagged their Twitter accounts, which constituted an act to intimidate a known codefendant and witnesses and direct communication with a known codefendant and witnesses about the facts of the case, in violation of conditions of release:

Harrison Floyd 🇺🇸
@hw_floyd

Wow @JennaEllisEsq . You're a whole mess girl !

So, you didnt stop at stealing peoples hard earned money for your "Defense."You're also lying on @DanScavino !?!

I guess they don't teach ethics at Harvard Law anymore. 🧑

#GiveBackTheMoney

MeidasTouch ✓ @MeidasTouch · 15h

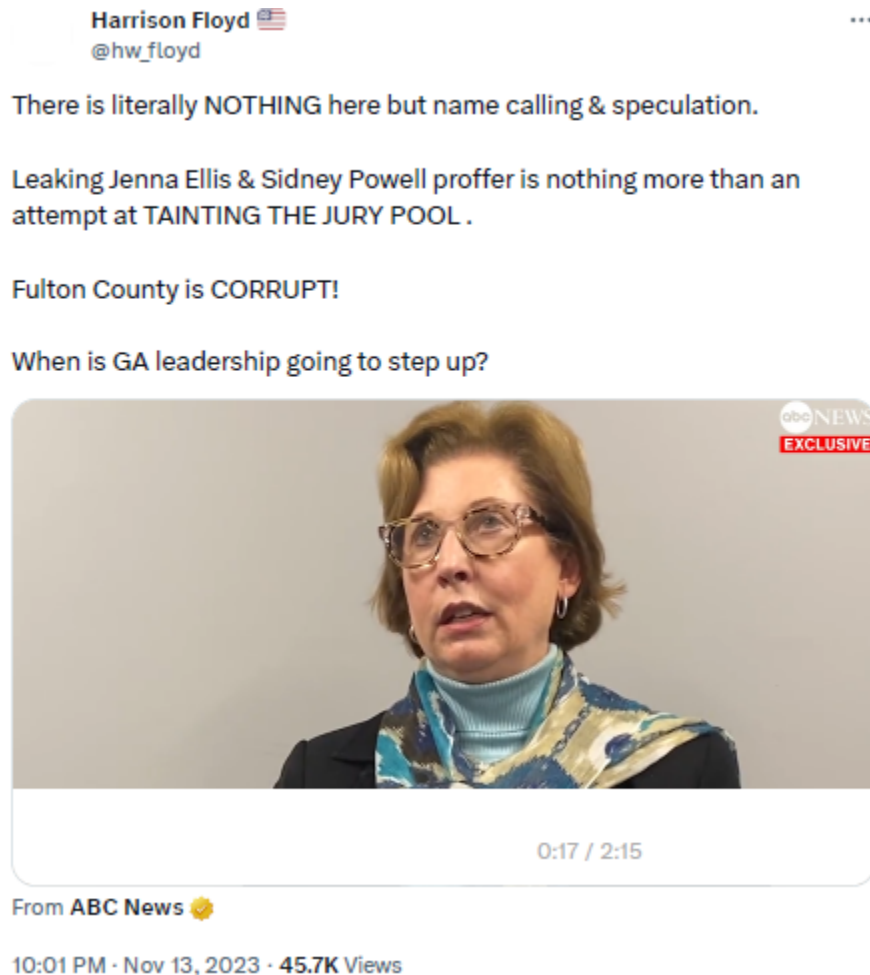
📺 During her proffer session before Georgia prosecutors, Jenna Ellis said Trump aide Dan Scavino told her weeks after the 2020 election that "the boss is not going to leave [The White House] under any circumstances. We are just going to stay in power."



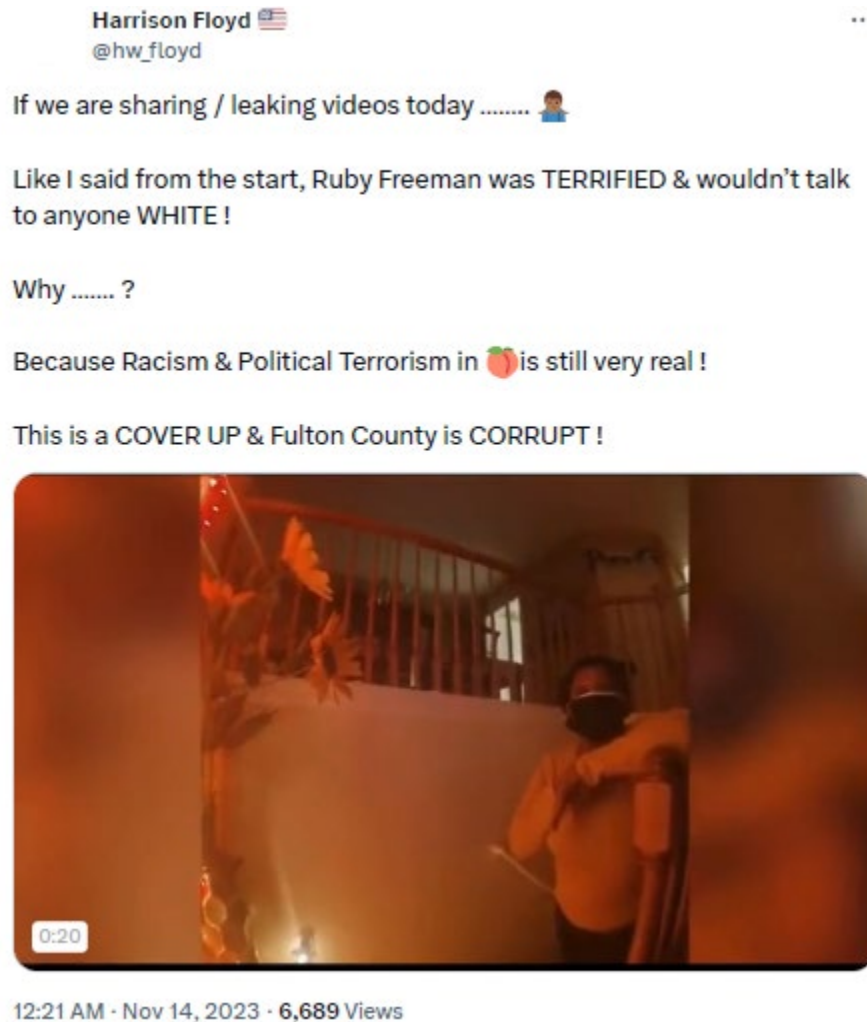
0:03 / 1:00

6:49 PM · Nov 13, 2023 · 8,275 Views

12. On November 13, 2023, the Defendant tweeted the following about codefendants and witnesses Jenna Ellis and Sidney Powell, which constituted an act to intimidate known codefendants and witnesses and indirect communication with known codefendants and witnesses about the facts of the case, in violation of conditions of release:



13. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:



14. Approximately one hour later, the Defendant posted a comment that stated, “So this begs the question ... If Ruby Freeman didn't trust White people to help her What did she say to the black people that offered to help her? I'll wait for you to get your 🎁 .” This constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release.

15. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:



Harrison Floyd 
@hw_floyd

Yesterday the Fulton County DA's office leaked proffer videos and now they are trying to blame my team in order to get a protective order.

Look @FaniforDA if I was going to leak something , it wouldn't be Sidney Powell or Jenna Ellis.

It would be this

[#Georgia](#) [#fraud](#)

**Ruby Freeman:
I do want an attorney,**

Audio captured from Official Cobb County Proffer by Ruby Freeman
0:01 / 0:15

2:37 PM · Nov 14, 2023 · 75.1K Views

16. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:



Harrison Floyd 
@hw_floyd

Or I would share that the officers , who OVERHEARD THE WHOLE CONVERSATION, thought there was a cover up.

Like this

[#fultoncounty](#) [#fraud](#) [#corruption](#)

**Other Officer:
she didn't feel comfortable.**

0:08 / 0:57    

Audio captured from Official Cobb County Police Body Cam

2:46 PM · Nov 14, 2023 · 9,369 Views

17. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:



Harrison Floyd 🇺🇸
@hw_floyd



So if there is no protective order, here's the 911 call that shows:

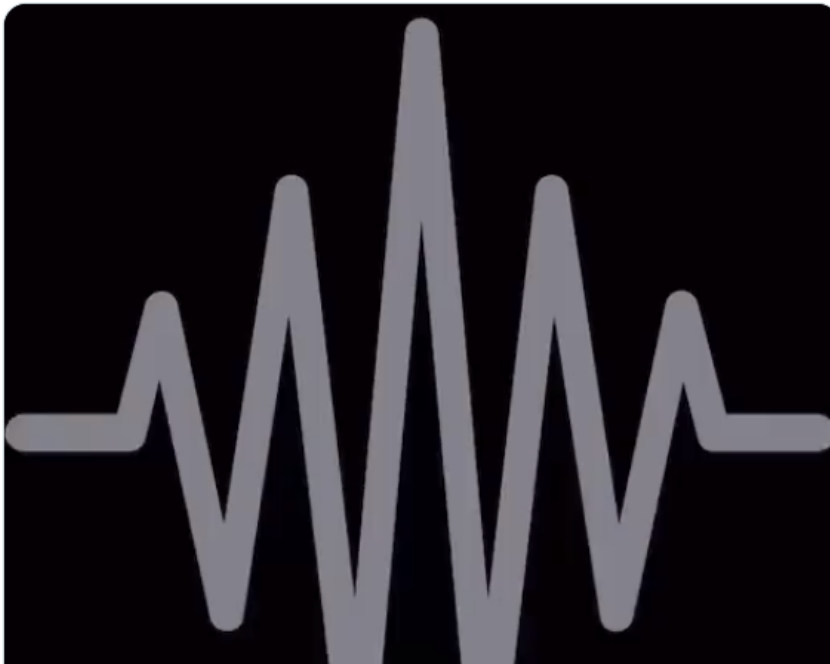
No threats were made ✓

Ruby Freeman wanted them to COME BACK and tell her what we could do for her ✓


Ruby Freeman set up the meeting at the police station, not me ✓

I DID NOTHING WRONG

[#fultoncounty](#) [#fraud](#)



18. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:

Harrison Floyd 
@hw_floyd

Why would my team leak Jenna Ellis & proffer videos when there is better stuff?

For instance, Ruby Freeman's job was the reconciliation of ballots.

She wasn't even supposed be on a scanner !!!!!

[#fraud](#) [#FultonCounty](#) [#georg](#)

**Ruby Freeman:
So my daughter said**

0:01 / 0:17

Audio captured from Official Cobb County Police Body Cam

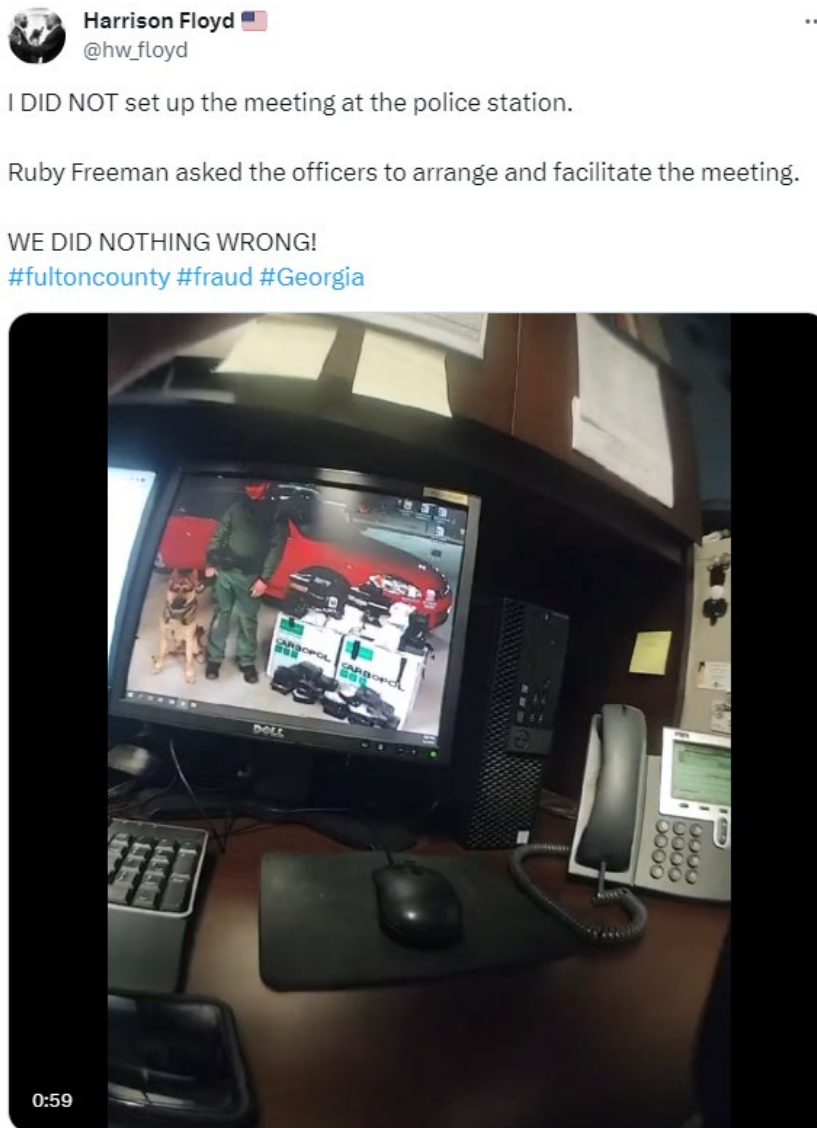
The image shows a tweet from Harrison Floyd (@hw_floyd) with an American flag icon. The tweet text asks why his team would leak Jenna Ellis and proffer videos when there is better stuff, and mentions Ruby Freeman's job was the reconciliation of ballots. It also states she wasn't even supposed to be on a scanner and includes hashtags #fraud, #FultonCounty, and #georg. Below the text is an audio player with the title 'Ruby Freeman: So my daughter said', a progress bar at 0:01 / 0:17, and a caption 'Audio captured from Official Cobb County Police Body Cam'. The player includes icons for play, volume, settings, share, and full screen.

4:19 PM · Nov 14, 2023 · 15.3K Views

19. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:

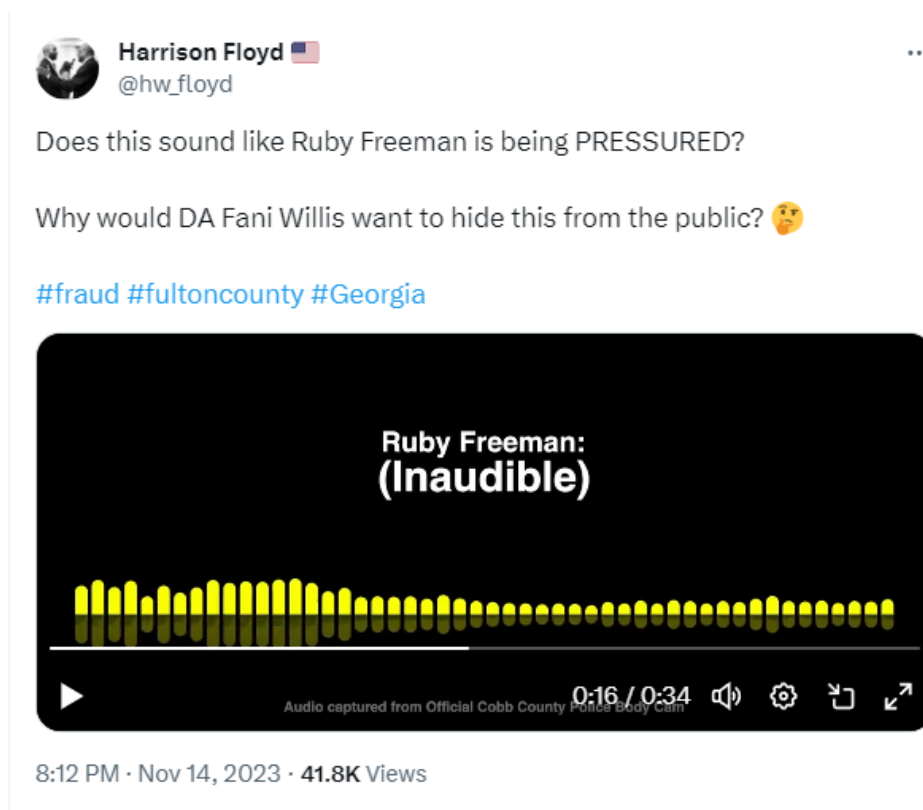


20. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:



6:51 PM · Nov 14, 2023 · 48.8K Views

21. On November 14, 2023, the Defendant tweeted the following about witness Ruby Freeman, which constituted an act to intimidate a known witness and indirect communication with a known witness about the facts of the case, in violation of conditions of release:



22. As detailed in paragraphs 13-21 above, witness Ruby Freeman has been a frequent target of the Defendant’s intimidating communications. In Count 31 of the indictment, the Defendant is charged with Influencing Witnesses in violation of O.C.G.A. § 16-10-93(b)(1)(A) involving witness Ruby Freeman herself. Because of and in response to the

Defendant's intimidating communications, witness Ruby Freeman has been the subject of renewed threats of violence from third parties.

23. As set forth above, since his release from custody, the Defendant has engaged in a pattern of intimidation toward known codefendants and witnesses, direct and indirect communication about the facts of this case to known codefendants and witnesses, and obstruction of the administration of justice in direct violation of this Court's order.
24. Moreover, the Defendant's actions demonstrate that he poses a significant threat of intimidating witnesses and otherwise obstructing the administration of justice in the future, making him ineligible for bond. *Ayala v. State*, 262 Ga. 704, 705 (1993).
25. Accordingly, the State requests that this Court enter an order revoking the bond previously granted to Defendant Harrison William Prescott Floyd.

Respectfully submitted this 15th day of November 2023,



FANI T. WILLIS
Georgia Bar No. 223955
District Attorney
Atlanta Judicial Circuit
136 Pryor Street SW, 3rd Floor
Atlanta, Georgia 30303

Exhibit A

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

STATE OF GEORGIA)
)
V.) Case No. 23SC188947
)
HARRISON WILLIAM PRESCOTT FLOYD) Judge: Scott McAfee

**CONSENT BOND ORDER FOR
DEFENDANT HARRISON WILLIAM PRESCOTT FLOYD**

The above-captioned matter having come before the Court for consideration of bond, and with consent of counsel for the State of Georgia and for the Defendant, the Court hereby

GRANTS and **ORDERS** that bond is set in this matter as follows:

(1) Bond Amount:

Count 1:	Violation of GA RICO Act	\$40,000
Count 30:	Conspiracy to Commit Solicitation of False Statements and Writings	\$30,000
Count 31:	Influencing Witnesses	\$30,000
TOTAL:	\$100,000	

Defendant may post bond as cash, through commercial surety, or through the Fulton County Jail 10% program.

- (2) The Defendant shall report to pre-trial supervision every 30 days and may report by telephone.
- (3) The Defendant shall not violate the laws of this State, the laws of any other state, the laws of the United States of America, or any other local laws. *Ayala v. State*, 262 Ga. 704, 705 (1993).
- (4) The Defendant shall appear in court as directed by the Court. *Id.*
- (5) The Defendant shall perform no act to intimidate any person known to him to be a codefendant or witness in this case or to otherwise obstruct the administration of justice. *Id.*

- (6) The Defendant shall not communicate in any way, directly or indirectly, about the facts of this case with any person known to him or her to be a codefendant in this case except through his or her counsel.
- (7) The Defendant shall not communicate in any way, directly or indirectly, about the facts of this case with any person known to him or her to be a witness in this case except through his or her counsel.

It is so **ORDERED** this the 29th day of August, 2023,



Hon. Scott McAfee, Judge
Fulton County Superior Court

Consented to by:



Deputy District Attorney Grant Rood
Fulton County District Attorney's Office
Counsel for the State of Georgia



Counsel for Defendant
Todd A. Hasler
Ga. Bar No.: 201862

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Defendants.

CASE NO.

23SC188947

CERTIFICATE OF SERVICE


I hereby certify that I have this day served a copy of this STATE'S MOTION TO REVOKE BOND CONCERNING DEFENDANT HARRISON WILLIAM PRESCOTT FLOYD, upon all counsel who have entered appearances as counsel of record in this matter via the Fulton County e-filing system.

This 15th day of November 2023,



FANI T. WILLIS
Georgia Bar No. 223955
District Attorney

Atlanta Judicial Circuit
136 Pryor Street SW, 3rd Floor
Atlanta, Georgia 30303

A solid black rectangular redaction box covering the text below the address.