

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

BRANDYN JAMES & HARVEY WYSONG,

Petitioners,

v.

BRAD RAFFENSPERGER, in his official
capacity as Secretary of State for the State of
Georgia,*Respondent.*Civil Action File No.:
26CV005185**ORDER DENYING THE PETITION FOR WRIT OF MANDAMUS**

Petitioners Brandyn James and Harvey Wysong filed the Petition for Writ of Mandamus (“Petition”) seeking an order compelling Brad Raffensperger, in his official capacity as Secretary of State for the State of Georgia, to refer Petitioners’ challenge to an administrative law judge with the Office of State Administrative Hearings. In the alternative, Petitioners seek to appeal the Secretary of State’s decision as to their challenge of Secretary Raffensperger’s candidacy for the office of Governor. After reviewing the Petition and hearing argument, the court **DENIES** the Petition and **DISMISSES** the request for an appeal of the Secretary’s final decision.

FINDINGS OF FACT

On March 20, 2026, Petitioners sent nearly identical letters to the Secretary concerning the decision of the Georgia Republican Party (“GRP”) to certify the Secretary as a Republican candidate for the office of Governor in the May 19, 2026 primary election. *See* Pet., Ex. B. The letters challenged the GRP’s certification of Secretary Raffensperger on constitutional grounds but did not allege that the Secretary failed to secure the certification of the GRP, meet any prerequisites for the office of Governor, or satisfy any procedural rules. *See id.*

On March 30, 2026, the Secretary replied by letter that “the information provided [did] not meet the criteria required to constitute a valid candidate challenge.” Pet., Ex. C. The Secretary explained that because the Petitioners’ letters concerned the actions of the GRP and not the qualifications of any candidate, no further action would be taken. *See id.* The Secretary did not refer the matter to the Office of State Administrative Hearings. Pet. ¶ 21.

CONCLUSIONS OF LAW

I. Petitioners lack a clear legal right to an administrative hearing.

“Mandamus is an extraordinary remedy to compel a public officer to perform a required duty when there is no other adequate legal remedy.” *Bland Farms, LLC v. Ga. Dep’t of Agric.*, 281 Ga. 192, 193 (2006). If a petitioner fails to make a showing that “(1) no other adequate legal remedy is available to effectuate the relief sought; and (2) the applicant has a clear legal right to such relief,” it is proper for the trial court to deny a petition for mandamus. *Ga. Ass’n of Prof’l Process Servers v. Jackson*, 302 Ga. 309, 312 (2017) (citation omitted). “A clear legal right to the relief sought may be found only where the claimant seeks to compel the performance of a public duty that an official or agency is required by law to perform.” *SJN Props., LLC v. Fulton County Bd. of Assessors*, 296 Ga. 793, 800 (2015) (citation omitted). “The determination of whether official action is required depends on the law governing the subject matter in question.” *Boyd v. Neal*, 350 Ga. App. 274, 280 (2019) (citation omitted).

The Georgia Election Code permits electors to file written challenges challenging the qualification of any candidate for municipal, county, state, or federal office. *See* O.C.G.A. § 21-2-5 (state and federal offices); *id.* § 21-2-6 (companion statute for county and municipal offices). Any elector eligible to vote may “challenge the qualifications of the candidate by filing a written complaint with the Secretary of State giving the reasons why the elector believes the candidate is not qualified to seek and hold the public office for which he or she is offering.” O.C.G.A. § 21-2-

5(b). In the context of a candidate qualification challenge, “qualifications” refers to “the legally specified prerequisites for holding office and the procedural requirements necessary to seek office[.]” *Camp v. Williams*, 314 Ga. 699, 706 (2022) (interpreting O.C.G.A. § 21-2-6).

The letters Petitioners sent to the Secretary regarding the Secretary’s candidacy for the office of Governor did not challenge his satisfaction of any legal prerequisites for holding the office of Governor or any procedural requirements to run for that office. *See* Pet., Ex. B. In fact, they concede that he was certified by the GRP. *See id.* Rather, Petitioner’s letters challenged the decision of the GRP to certify Secretary Raffensperger, notwithstanding the passage of a “resolution” that the GRP would not qualify him to run as a Republican in any primary. *See* Pet., Ex. A. Because Petitioners’ letters did not challenge the actual qualifications of Secretary Raffensperger, they did not constitute candidate qualification challenges. Accordingly, the Secretary is not obligated to refer the matter to the Office of State Administrative Hearings. *See* O.C.G.A. § 21-2-5(b).

Because Petitioners lack a clear legal right to an administrative hearing, their Petition for a Writ of Mandamus is **DENIED**.

II. The Secretary’s response is not a final decision.

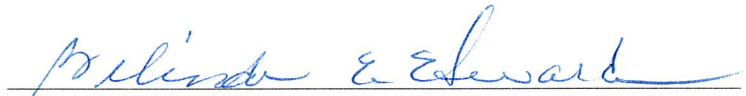
In the alternative, Petitioners plead that the Secretary’s March 30, 2026 response “constitutes a final decision of the [Secretary]” and seek to appeal that decision pursuant to O.C.G.A. § 21-2-5(e). Pet. ¶ 48.

This Court has jurisdiction over an appeal of a final decision of the Secretary concerning a candidate qualification challenge. *See* O.C.G.A. § 21-2-5(e). A final decision within the meaning of O.C.G.A. § 21-2-5 is a “determin[ation] [of the Secretary] if the candidate is qualified to seek and hold the public office for which such candidate is offering.” O.C.G.A. § 21-2-5(c). The Secretary did not render any determination as to his candidacy for the office of Governor. *See* Pet.,

Ex. C. His only conclusion was that Petitioners' letters failed to meet the requirements for a candidate qualification challenge under O.C.G.A. § 21-2-5(b). *See id.*

Accordingly, because no final decision was ever issued, Petitioners' request for a reversal of the Secretary's final decision is **DISMISSED**.

SO ORDERED this 4th day of May 2026.



Honorable Belinda E. Edwards
Superior Court of Fulton County
Atlanta Judicial Circuit

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