



Supreme Court to hear arguments in Trump presidential immunity case

Description

US : The U.S. Supreme Court will hear arguments Thursday on whether former President Donald Trump is immune from prosecution in Special Counsel Jack Smith's election interference case.

The high court agreed it would review whether Trump, the presumptive Republican presidential nominee, has immunity from prosecution.

Arguments at the Supreme Court are expected to begin at 10 a.m. Thursday, but the former president will not be present for the proceedings.

Instead, Trump will be in New York City for the seventh day of his criminal trial stemming from charges out of Manhattan District Attorney Alvin Bragg's investigation. Trump has pleaded not guilty to all 34 counts of falsifying business records in the first degree.

Trump, a criminal defendant, is required to be present for each day of his trial. He requested, though, to attend Supreme Court arguments on presidential immunity, but Judge Juan Merchan, who is presiding over the trial, rejected that request.

"Arguing before the Supreme Court is a big deal, and I can certainly appreciate why your client would want to be there, but a trial in New York Supreme Court... is also a big deal," Merchan said last week, requiring the former president to be in his Manhattan courtroom.

A ruling from the Supreme Court on the issue of presidential immunity is expected by late June.

Trump's criminal trial stemming from Smith's investigation has been put on hold pending a resolution on the matter.

The former president and his legal team, in requesting the Supreme Court review the issue of presidential immunity, said that “if the prosecution of a President is upheld, such prosecutions will recur and become increasingly common, ushering in destructive cycles of recrimination.”

“Criminal prosecution, with its greater stigma and more severe penalties, imposes a far greater ‘personal vulnerability’ on the President than any civil penalty,” Trump’s lawyers wrote.

“The threat of future criminal prosecution by a politically opposed Administration will overshadow every future President’s official acts – especially the most politically controversial decisions.”

Trump’s request states that the president’s “political opponents will seek to influence and control his or her decisions via effective extortion or blackmail with the threat, explicit or implicit, of indictment by a future, hostile Administration, for acts that do not warrant any such prosecution.”

Smith charged the former president with conspiracy to defraud the United States; conspiracy to obstruct an official proceeding; obstruction of and attempt to obstruct an official proceeding; and conspiracy against rights.

Those charges stemmed from Smith’s investigation into whether Trump was involved in the Jan. 6 Capitol riot and any alleged interference in the 2020 election result.

Trump pleaded not guilty to all charges in August.

“Without presidential immunity, it would be impossible for a president to properly function, putting the United States of America in great and everlasting danger!”

Trump posted on his Truth Social last week, in all capital letters. “If they take away my presidential immunity, they take away crooked Joe Biden’s presidential immunity.” a

In another post, Trump argued that if a president does not have immunity, “the Opposing Party, during his/her term in Office, can extort and blackmail the President by saying that, ‘if you don’t give us everything we want, we will Indict you for things you did while in Office,’ even if everything done was totally Legal and Appropriate.”

“That would be the end of the Presidency, and our Country, as we know it, and is just one of the many Traps there would be for a President without Presidential Immunity,” Trump posted.

Pointing to his presidential predecessors, and 2020 and 2024 opponent Biden, Trump said: “Obama, Bush, and soon, Crooked Joe Biden, would all be in BIG TROUBLE.”

“If a President doesn’t have IMMUNITY, he/she will be nothing more than a ‘Ceremonial’ President, rarely having the courage to do what has to be done for our Country,” Trump continued, calling for the protection of presidential immunity.

Trump added that if immunity is not granted to a president, “every president that leaves office will be immediately indicted by the opposing party.”

“Without complete immunity, a president of the United States would not be able to properly function,” he said again. This will be the second time this term the Supreme Court will hear a case involving the presumed Republican presidential nominee.

Last month, the Supreme Court sided unanimously with Trump in his challenge to Colorado’s attempt to kick him off the 2024 primary ballot.

The high court ruled in favor of Trump’s arguments in the case, which will impact the status of efforts in several other states to remove the likely GOP nominee from their respective ballots.

The court considered for the first time the meaning and reach of Article 3 of the 14th Amendment, which bars former officeholders who “engaged in insurrection” from holding public office again. Challenges have been filed to remove Trump from the 2024 ballot in over 30 states.

Trump, during an exclusive interview with Fox News Digital after that ruling, shifted back to the issue of presidential immunity.

By Brooke Singman

Category

1. Crime-Justice-Terrorism-Corruption
2. Main
3. Politics-Geopolitics-Gov.-Events

Date Created

04/25/2024