



## Trump Attorneys: Trial for Florida Documents Case in May Unworkable With NY Trial in April

### Description

**US : Attorneys for former President Donald Trump submitted a notice to the U.S. District Court for the Southern District of Florida alerting Judge Aileen Cannon that a late May or early June trial is “no longer workable.”**

President Trump now faces a April 15 criminal trial in New York, a date set earlier this week, marking the first time in the nation’s history a sitting or former president will be criminally tried.

Manhattan District Attorney Alvin Bragg is prosecuting President Trump on 34 counts of allegedly falsifying business records, related to an alleged payment scheme to kill unfavorable news stories during the 2016 elections.

The trial in New York is expected to run “through the end of May 2024,” according to President Trump’s counsel.

In Florida, special counsel Jack Smith is prosecuting President Trump on 40 counts related to alleged mishandling of classified documents. Last year, Judge Cannon set a May 20 trial date that is expected to be pushed back after discovery proved to be more “voluminous” than the court expected.

After a hearing earlier this year, the judge suggested she would set a new schedule. However, she has not yet indicated what the new trial timeline will be.

Previously anticipating a March trial for President Trump’s case in Manhattan, prosecutors in Florida proposed dates in May and June to the federal court, which the defense says will no longer work.

### Cases Collide

The April 15 date was set by New York Supreme Court Justice Juan Merchan after defense attorneys opposed his tentative April 25 trial date.

Noting that this would overlap with Passover, and therefore exclude observing Jews when jury

selection began, the defense attorneys requested a delay during a March 25 hearing. The judge responded by moving the trial date earlier.

The defense also cited a separate case being argued before the Supreme Court—also on April 25—in requesting the delay, when the high court will review President Trump's use of a presidential immunity defense. Counsel raised presidential immunity as a defense in the New York case, and argued that the Supreme Court's decision would be instructive.

Judge Merchan criticized the defense for “repeatedly” seeking delays in a recent court order.

He had responded to the defense's request based on the review of the presidential immunity question by ordering the parties to file no new motions without first obtaining leave from the court.

Meanwhile, the schedule for the Florida case that Judge Cannon is presiding over is still up in the air. Several pretrial motions are still awaiting rulings from the judge, including three remaining motions to dismiss filed by President Trump.

Her latest order was an unusual demand that both parties submit hypothetical jury instructions based on competing interpretations of whether President Trump had the ability to designate the records in his possession as “personal,” forcing the defense and prosecution to present sets of facts they have argued against.

If, considering the notice filed by Trump attorneys, Judge Cannon schedules trial for June or July, this could present a scheduling conflict that again pushes back the case that is currently before the Supreme Court.

Mr. Smith is also prosecuting President Trump in a Washington, D.C., case on four counts of conspiracy and obstruction for his actions on Jan. 6, 2021.

Originally scheduled for a March 4 trial, experts have predicted that the case could go to trial as early as June if the Supreme Court rules within in a month of hearing arguments, as it did with a ballot-challenge case involving President Trump.

The Supreme Court has already signaled that it is expediting the case, denying as moot President Trump's request for a stay of lower court proceedings and granting Mr. Smith's request to treat the application for a stay as a petition for review and ordering an expedited briefing schedule.

And these are just three of the four criminal indictments President Trump faces. In Fulton County, Georgia, where he faces racketeering charges over his actions to challenge the 2020 election results, his attorney has argued that a trial that overlaps with the general election would be clear “election interference.”

Prosecutors in these cases have argued that it is in the public's interest that the cases go to trial without delay. Experts have opined that the prosecutors mean to say the cases should be tried before the general election.

However, the cases likely will not be resolved before the general election. Accounting for the appeals process, none of the cases can be put to rest before the election is over, even if all of them go to trial before the election.

**By Catherine Yang**

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