The Phyllis Schlafly Report

Trump-Haters Hit a Brick Wall at SCOTUS

By John and Andy Schlafly

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Trump-hating prosecutors' joy ride hit a brick wall in the Supreme Court last Thursday, where six Justices doubted and ridiculed liberals' attempts to prosecute Trump in federal court. This was so thoroughly a rout of Biden's minions that it also diminishes the impact of the ongoing New York County prosecution of Trump.

Delusional Biden supporters have expected federal prosecutors to rescue Biden by putting Trump on trial before the election. But a barrage of comments by a Supreme Court majority exposed fatal defects in this legal strategy of anti-Trumpers to win the presidential election by prosecuting Trump.

Chief Justice Roberts did more than reject the decision by the Democrat-dominated D.C. Circuit that went against Trump. Roberts mocked that decision for relying on a senseless tautology, which is also known as begging the question – assuming the truth of a statement without proving it.

Roberts observed that the reasoning of the prosecutors and lower courts is that Trump can be prosecuted because he is being prosecuted, without any review of whether the prosecution has any legitimate basis. In a rare rebuke of the D.C. Circuit that sits near the Supreme Court, Roberts essentially said that it had failed to do its job in this landmark case.

Roberts quoted this ruling by the D.C. Circuit: "A former president can be prosecuted for his official acts because the fact of the prosecution means that the former president has allegedly acted in defiance of the laws." Roberts then pointedly asked the federal attorney, "Do you agree with that statement?"

The Biden Administration attorney responded, "Well, I think it sounds tautologically true," which is another way of saying that the decision against Trump by the D.C. Circuit was senselessly circular. Dismayed by the government's defense of the tautology, Roberts retorted, "I think it sounds tautologically true as well, and that, I think, is the clearest statement of the court's holding, which is why it concerns me."

Hot air suddenly rushed out of the High Court from the many Trump-haters gathered there in anticipation of blocking Trump's reelection. There is no path for liberals to attain a

majority on the Supreme Court without Roberts on their side, and he is apparently strongly against them in this immunity case.

Justice Gorsuch observed that future presidents could pardon themselves at the end of their terms to ensure that there would not be similar prosecutions of them. Justice Alito followed up by asking the attorney representing the Justice Department whether a president had the power to pardon himself.

To the further dismay of liberals, the government attorney said that the Justice Department has never taken a position on whether a president can pardon himself. So that opens the door to Trump issuing blanket pardons against prosecutions of him and his incoming staff upon taking office on January 20th.

Justice Amy Coney Barrett went beyond this pending case by asking whether county-level prosecutions should be allowed against a former president, which are ongoing in New York County and in Fulton County, Georgia. The government attorney then deflated liberals' balloon further by admitting that county prosecutions could be shut down based on the Supremacy Clause in the Constitution.

Trump could not attend the Supreme Court argument on Thursday because he is stuck in a county-level prosecution against him in New York City, where a low-level judge just fined and threatened imprisonment of Trump for speaking out. But that case is looking increasingly irrelevant to the election, as the battleground states already have a dim view of "The Big Apple" as Manhattan was called in its heyday.

The arrogance of some county prosecutors was laid bare by a body cam in New York that captured a county district attorney refusing to pull over when caught red-handed driving 55 mph in a 35 mph zone, despite the lights and siren by the police officer.

The DA ranted after parking at her home, "You know what? If you give me a traffic ticket, that's fine. I'm the one who prosecutes it, OK? Just go ahead and do it."

"I understand the law better than you," the DA declared while defying the officer's lawful commands. Because of the DA's belligerence, the officer had to call for help from another officer on this routine traffic stop for speeding.

The polite police officer said, "I'm doing my job. You say you're a DA?" The haughty NY Monroe County District Attorney Sandra Doorley shot back, "I am THE DA."

On Tuesday, Rep. Elise Stefanik (R-NY) filed a formal ethics complaint against the federal prosecutor, Jack Smith, for interfering with the upcoming election by seeking to

accelerate a trial of Trump. She observes that his “conduct has brought disrepute to the Department of Justice and the entire federal government.”

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