

JUDGE BYBEE, CAN YOU SAY PANIC?

If I had a case before Judge Bybee, I'd ask him to recuse if only because his office appears to be running around like a chicken with its head cut off, worrying about how to respond to Pat Leahy's invite to come chat. (h/t fatster)

On Thursday, law clerks for the judge said variously that Bybee would respond to an appeal by Chairman Patrick J. Leahy (D-Vt.) to appear before the Senate Judiciary Committee; that he would explain his reasoning in a statement to the San Francisco-based appeals court; and that he would have nothing more to say to anyone on the subject.

"My impression is that there won't be any further statements," law clerk Keith Woffinden said, apologizing for the contradictory messages being sent by staffers.

Maureen Mahoney? Your client is losing it.

And I like this quote, too, which almost seems like it could be coming from someone who was a source for the WaPo story reporting that Bybee regretted the torture memos—only this time doing so on the record.

"It surprises, concerns, sickens and depresses me," Christopher Blakesley, a law professor at the University of Nevada, Las Vegas, said of Bybee's defense of the August 2002 memos. "I am surprised that he talked at all at this point."

Blakesley said he was also "saddened because I truly believed from what I know of him over the years that he would have repudiated the memos along with all

that surrounded and came from this sordid situation. Perhaps one day he will."

It's not going to get any better, either, as we draw closer to the release of that OPR report.