

STAYS: ANOTHER REASON FOR THE SHUTDOWN?

[NB: check the byline.]

This is a very short post; I needed to put something up here after this popped up in my Twitter feed:

The screenshot shows a tweet from 'Big Cases Bot' (@big_cases) with a 'Follow' button. The tweet text reads: 'New filing in Blumenthal et al. v. Trump: Stay documentcloud.org/documents/5682 ...'. Below the text is a thumbnail image of a legal document. The document is titled 'IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA'. The parties listed are 'Senators RICHARD BLUMENTHAL, et al., Plaintiffs,' and 'MATTHEW G. WHITAKER, in his official capacity, et al., Defendants'. The document is a 'DEFENDANTS' MOTION FOR A STAY OF PROCEEDINGS IN LIGHT OF LAISE-APPROPRIATIONS'. The text of the motion states: 'Defendants Donald J. Trump, in his official capacity as the President of the United States, and Matthew G. Whitaker, in his official capacity as Acting Attorney General, hereby move for a stay of proceedings, including their deadline to answer or otherwise respond to the Complaint, in the above-captioned case. In support of this motion, Defendants state as follows: 1. Plaintiffs are three Senators who brought this suit alleging that the President's appointment of Mr. Whitaker as Acting Attorney General violates the Appointments Clause of the Constitution, U.S. Const. art. II, § 2, cl. 2. The U.S. Attorney for the District of Columbia was served on November 26, 2018, and Defendants' answer or other response to the Complaint is currently due on January 25, 2019. See Fed. R. Civ. P. 60(d). 2. At the end of the day on December 23, 2018, the appropriations committee had been holding the Department of Justice request and appropriations to the Department Agency. The'.

Link to the stay.

This is the suit filed by three senators (Blumenthal, Whitehouse, Hirono) against Trump and Matthew Whitaker with regard to Whitaker acting as attorney general (*Blumenthal et al. v. Trump* 1:18-cv-02664).

Excerpt:

1. Plaintiffs are three Senators who brought this suit alleging that the President's appointment of Mr. Whitaker as Acting Attorney General violates the Appointments Clause of the Constitution, U.S. Const. art. II, § 2, cl. 2. The U.S. Attorney for the District of Columbia was served on November 26, 2018, and Defendants' answer or other response to the Complaint is currently due on January 25, 2019. See Fed. R.

█ Civ. P. 12(a)(2).

The plaintiffs have already filed a memorandum in opposition.

Given Whitaker's purported current role in the Department of Justice, acting as attorney general after Jeff Session's departure, how is this requested stay attributed to the government shutdown not an attempt to obstruct justice in any investigation in which Trump is a defendant, target, or subject?

We're looking at you, GOP Senate, especially Mitch McConnell. Are you part of the obstruction, too?

Treat this as an open thread.