

# AS PREDICTED, BILLY BARR BOLLOXED THE MIKE FLYNN PROSECUTION

In advance of a status report due tomorrow, Brandon Van Grack withdrew from the Mike Flynn case.

The AP reports that DOJ has filed paperwork to withdraw from the case, based on findings from Jeffrey Jensen's review.

In court documents being filed Thursday, the Justice Department said it is dropping the case "after a considered review of all the facts and circumstances of this case, including newly discovered and disclosed information." The documents were obtained by The Associated Press.

The Justice Department said it had concluded that Flynn's interview by the FBI was "untethered to, and unjustified by, the FBI's counterintelligence investigation into Mr. Flynn" and that the interview on January 24, 2017 was "conducted without any legitimate investigative basis."

While Van Grack has withdrawn from all Flynn-related cases before Emmet Sullivan, he has not yet withdrawn from two other open cases he's on, and he signed his withdrawal FARA Chief.

As noted in this post, Sullivan has discretion over whether to accept this withdrawal.

Update: Here's the motion to withdraw. It is easily rebuttable – we'll see whether Sullivan does so on his own.