

TODD BLANCHE CONFUSES AILEEN CANNON'S PRIOR TRUMP REVERSAL WITH TANYA CHUTKAN'S INDIVIDUALIZED GUILT

John Lauro is the Trump lawyer who submitted and signed the motion for recusal in Trump's January 6 case, and so virtually all commentators are attributing the motion to him. But Todd Blanche also appears on the document.

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Respectfully submitted,

Todd Blanche, Esq. (PHV)

BLANCHE LAW

/s/John F. Lauro

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That means one of Trump's lawyers from the stolen documents case, in which Aileen Cannon – confirmed in the period after Trump lost the election and cozy with Leonard Leo – chose not to recuse herself after a blistering reversal over her earlier decision to butt in last summer, in which Aileen Cannon has done nothing (nothing public, at least) to preserve the Sixth Amendment rights of Trump's co-defendants, but has instead served the interests of the Trump-paid lawyers representing them, has remained silent about any conflict in that case but signed onto a claim of conflict with Tanya Chutkan.

There is an overwhelming public interest in ensuring the perceived fairness of these proceedings. In a highly charged political season, naturally all Americans, and in fact, the entire world, are observing these proceedings closely. Only if this trial is administered by a judge who appears entirely impartial could the public ever

accept the outcome as justice.

Todd Blanche's willingness to sign onto this motion only underscores the bad faith of it.

The substance of the claimed conflict is remarkably thin: In the sentencing hearings of Robert Palmer and Christine Priola, Chutkan said something about those who planned the riot. Between the two hearings – the first in December 2021 and the second in October 2022 – Trump's lawyers claim they show that Chutkan has already formed an opinion about Trump's guilt, even while they acknowledge that Chutkan's language addresses claims of incitement with which Trump has not been charged.

These are cherry picks. From Palmer's for example, Trump's lawyers found a line in which Chutkan said she had opinions about whether those who planned the riot should be charged, *even while she said* her opinions are not relevant.

He went to the Capitol because, despite election results which were clear-cut, despite the fact that multiple court challenges all over the country had rejected every single one of the challenges to the election, Mr. Palmer didn't like the result. He didn't like the result, and he didn't want the transition of power to take place because his guy lost. And it is true, Mr. Palmer – you have made a very good point, one that has been made before – that the people who exhorted you and encouraged you and rallied you to go and take action and to fight have not been charged. That is not this court's position. I don't charge anybody. I don't negotiate plea offers. I don't make charging decisions. I sentence people who have pleaded guilty or have been convicted. The issue of who has or has not been charged is not before me. I don't have any influence on that. I have

my opinions, but they are not relevant.

So you have a point, that the people who may be the people who planned this and funded it and encouraged it haven't been charged, but that's not a reason for you to get a lower sentence.

This is a colloquy that goes on in many January 6 sentencing hearings, because many defendants – up to and including Enrique Tarrío and Joe Biggs – like to blame Trump for their woes. After that happens, whatever judge is presiding, whether appointed by a Republican or Democrat, notes that people are still responsible for their own actions.

This is, in fact, a pretty mild version, even among some Republican appointees.

But Trump's team ignored Judge Chutkan's more general commentary about how everyone should treat others with more humanity.

I feel certain that if people would expose themselves to a variety of opinions and sources of information, we might not have had January 6th. But people get very siloed and listen to an echo chamber of information and opinion, and you get a very warped view of what's really going on in the world; and that may be part of it, but in doing so, you fail to see other people as human beings. And that is one of the things I see here as a judge, is there is a failure to acknowledge other people's humanity.

From the Priola sentencing, Trump's lawyers focused on Chutkan's observation that the person to whom rioters were loyal remained free.

[T]he people who mobbed that Capitol were there in fealty, in loyalty, to one man – not to the Constitution, of which

most of the people who come before me seem woefully ignorant; not to the ideals of this country; and not to the principles of democracy. It's a blind loyalty to one person who, by the way, remains free to this day.

This is remarkably thin gruel on which to hang a claim that Chutkan is biased against Trump but not Trump appointed Judges Dabney Friedrich or Tim Kelly, who've engaged in similar colloquies.

And it seems tactical. It was coming at some point, but Trump's team has, after remaining silent for 42 days after this case was assigned to Chutkan, suddenly asked her to assess her own biases in expedited fashion, before ruling on the pending motion about Trump's own threats against Judge Chutkan and others.

Additionally, given the overriding public interest in ensuring the appearance of fairness in this proceeding, President Trump requests the Court consider this Motion on an expedited basis and, pending resolution, withhold rulings on any other pending motion.

This is a tactical and cynical motion. And Todd Blanche's participation in it makes it crystal clear that Trump doesn't give a flying rat's ass about the bias of Cannon or any appearance of bias they can wring out of Chutkan's prior comments.

Rather, they're doing this to claim that her future attempts to preserve the integrity of this proceeding – including to minimize death threats from Trump's own supporters – instead itself evinces bias on her part.

Update: Here's the full Priola sentencing transcript.