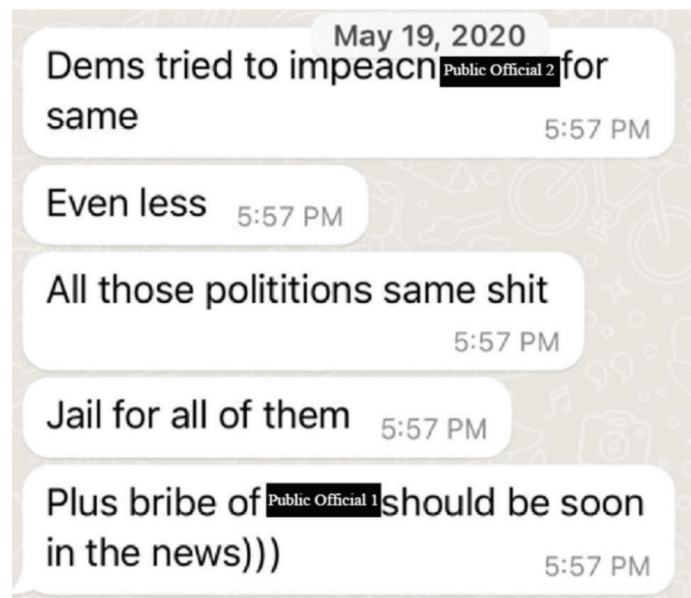


THE GAPS IN DAVID WEISS' BELATED INDICTMENT OF ALEXANDER SMIRNOV

David Weiss has indicted the informant behind an FD-1023 that Bill Barr used to justify the ongoing investigation into Hunter and Joe Biden. Weiss charged Alexander Smirnov with one count of false statement and one count of obstruction.

The indictment alleges that Smirnov lied about the meetings he did have with Burisma, and lied about what Burisma officials told him.

The indictment ties Smirnov's efforts to frame Joe Biden with Rudy Giuliani's efforts, though without naming Rudy. For example, the indictment describes that both before and after this article, Smirnov promised his handler that Biden would soon be going to jail.



But the citations of the article simply omit mention of Rudy.

9. On that day, May 19, 2020, it was publicly reported that:

A Ukrainian lawmaker who met with [] late last year released recordings of private phone calls several years ago between [Public Official 1] and [], then Ukraine's president, in a new broadside against the presumptive [] nominee for U.S. president that has raised questions about foreign interference in the 2020 election.

In describing the side channel that Barr set up, it attributed the project to Jeffrey Rosen, not Barr.

22. In June 2020, the Handler reached out to the Defendant concerning the 2017 1023. This was done at the request of the FBI's Pittsburgh Field Office (hereafter "FBI Pittsburgh"). In the first half of 2020, the United States Attorney's Office for the Western District of Pennsylvania (hereafter "USAO WDPA") had been tasked by the Deputy Attorney General of the United States to assist in the "receipt, processing, and preliminary analysis of new information provided by the public that may be relevant to matters relating to Ukraine." As part of that process, FBI Pittsburgh opened an assessment, 58A-PG-3250958, and in the course of that assessment identified the 2017 1023 in FBI holdings and shared it with USAO WDPA. USAO WDPA then asked FBI Pittsburgh to reach out to the Handler to ask for any further information about the reference in his 2017 1023 that stated, "During this call, there was a brief, non-relevant discussion about former [Public Official 1]'s son, [Businessperson 1], who is currently on the Board of Directors for Burisma Holdings [No Further Information]".

It omitted mention that the side channel was primarily set up so that Rudy could share information, including information from Russian spies. And it didn't describe that, per Scott Brady, he found Smirnov's report by seeking information on Hunter and Burisma.

Q And the original FD1023 that you're referring as information was mentioned about Hunter Biden and the board of Burisma, how did that information come to your office?

A At a high level, we had asked the FBI to look through their files for any information again, limited scope, right? And by "limited," I mean, no grand jury tools. So one of the things we could do was ask the FBI to identify certain things that was information brought to us. One was just asking to search their files for Burisma, **instances of Burisma or Hunter Biden**. That 1023 was identified because of that discreet

statement that just identified Hunter Biden serving on the Burisma board. That was in a file in the Washington Field Office. And so, once we identified that, we asked to see that 1023. That's when we made the determination and the request to reinterview the CHS and led to this 1023. [my emphasis]

It describes that after Pittsburgh closed their assessment (something Bill Barr has public disputed), the FBI interviewed Smirnov again, and he lied again.

It doesn't describe that after Smirnov changed his story, and days after (in October 2020) Donald Trump yelled at Bill Barr about Hunter Biden, Richard Donoghue ordered David Weiss to accept a briefing on the FD-1023.

And the timing of the claimed investigation stinks.

It claims that some time in July 2023, the FBI asked David Weiss to help investigate the source that Weiss had been ordered to integrate into his investigation years before.

41. In July 2023, the FBI requested that the U.S. Attorney's Office for the District of Delaware assist the FBI in an investigation of allegations related to the 2020 1023. At that time, the United States Attorney's Office for the District of Delaware was handling an investigation and prosecution of Businessperson 1.

It doesn't mention that Weiss was already under pressure from Lindsey Graham to use the informant report against Hunter Biden.

The FBI interviewed Smirnov's handler on August 29 of last year. They interviewed Smirnov on September 27, where – they allege – he told still more lies.

But they did nothing when Hunter Biden asked for discovery on this on November 15, repeatedly misrepresenting Richard Donoghue's role in it.

They only indicted after Judge Mark Scarsi suggested, in a preliminary hearing on January

11, that he would provide discovery on matters outside of prosecutorial deliberations.

Now they can withhold the details of how David Weiss used "a little more colorful language" when he acquiesced to accepting other materials from Scott Brady.

Great! They indicted another of James Comer's great hopes to impeach Joe Biden.

But there are few people left in DOJ who are more conflicted on this prosecution than David Weiss.

Update: Took out a reference to the September 2023 interview that was out of timeline.