

# [***'Compelling Inference Of A Political Motive': Trump Files Response To Smith's SCOTUS Brief***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BBK-VV61-DXXD-7011-00000-00&context=1516831)

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**Byline:** Harold Hutchison, Reporter, [*harold@dailycallernewsfoundation.org*](mailto:harold@dailycallernewsfoundation.org)

**Body**

[*Link to Image*](https://cdn01.dailycaller.com/wp-content/uploads/2024/02/GettyImages-1996862067-scaled-e1707488715726.jpg)

Attorneys for former President Donald Trump reiterated on Thursday a request for the Supreme Court to intervene in the bid to dismiss the election interference case on the basis of presidential immunity.

Trump asked the Supreme Court on Monday to stay an appellate court [*ruling*](https://dailycaller.com/2024/02/06/appeals-court-rules-trump-does-not-have-post-presidential-immunity/) that determined he was not immune from prosecution in the federal election interference case, to which Smith [*responded*](https://dailycaller.com/2024/02/14/jack-smith-donald-trump-supreme-court-immunity-response/) on Wednesday and argued the American people have an interest in a “speedy and fair verdict.” Trump's attorneys argued in the latest filing that Smith's reply suggests to a desire hold the trial before the November election.

“The Special Counsel's latest filing raises a compelling inference of a political motive-the motivation to influence the 2024 Presidential election by bringing the leading Republican candidate to trial before November 5, 2024,” Trump's attorneys [*wrote*](https://www.supremecourt.gov/DocketPDF/23/23A745/300749/20240215174027604_2024-02-15%20-%2023A745%20-%20Reply%20iso%20Application%20to%20S.%20Ct.%20for%20Stay%20of%20D.C.%20Circuit%20Mandate.pdf). [***(RELATED: Fox News Legal Analyst Says 'Real Flaws' In Appeals Court Ruling Put 'Separation Of Powers' At Risk)***](https://dailycaller.com/2024/02/06/fox-news-legal-analyst-says-real-flaws-appeals-court-ruling-put-separation-powers-risk/)

“The Special Counsel's conduct in this case refutes his own argument,” the filing continues. “The government waited nearly three years to charge President Trump, and now the Special Counsel violates every norm in a desperate, partisan attempt to bring President Trump to trial before the November 5, 2024, election and thus influence the election's outcome.”

[*Link to Image*](https://cdn01.dailycaller.com/wp-content/uploads/2024/02/GettyImages-1570142045-scaled.jpg)

Special counsel Jack Smith speaks to members of the media at the US Department of Justice building in Washington, DC, on August 1, 2023. (Photo by SAUL LOEB/AFP via Getty Images)

Trump was [*indicted*](https://dailycaller.com/2023/08/01/donald-trump-indicted-jan-6-2020-election/) in August on charges relating to his alleged efforts to contest the results of the 2020 election and alleged involvement in the Jan. 6 riot at the Capitol building. The charges include “Conspiracy to defraud the United States,” “A conspiracy against the right to vote and to have one's vote counted” and “Conspiracy to corruptly obstruct and impede the January 6 proceedings.”

“This Court should stay the D.C. Circuit's mandate pending the filing and disposition of an en banc petition in the D.C. Circuit and, if necessary, a petition for certiorari in this case,” Trump's attorneys wrote in the brief. “The panel opinion departed from its usual practice of withholding its mandate pending the filing of such a petition. This decision was ill-considered. En banc review is a vital component of the lower-court percolation that assists this Court, as the example of Nixon v. Sirica demonstrates. There is no compelling reason to disallow en banc review in this case.”

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**Graphic**

LAS VEGAS, NEVADA - FEBRUARY 08: Republican presidential candidate and former U.S. President Donald Trump greets supporters at his caucus night watch party at the Treasure Island Hotel & Casino on February 08, 2024 in Las Vegas, Nevada. The Nevada Republican presidential caucus was held today, two days after the symbolic Nevada Republican presidential primary took place. Donald Trump is the presumptive winner. (Photo by Mario Tama/Getty Images)

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