

# [***Federal Appeals Court Deals Legal Blow To Trump Aide Currently Facing Prison Sentence***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BPD-BNX1-JBFB-H00F-00000-00&context=1516831)

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**Body**

[*Link to Image*](https://cdn01.dailycaller.com/wp-content/uploads/2023/09/GettyImages-1665669265-scaled-e1694118199123.jpg)

A federal appeals court dealt another legal blow to former Trump administration official Peter Navarro Monday, siding with a judge who threatened him with contempt of court.

Navarro recently began his four-month prison [*sentence*](https://dailycaller.com/2024/01/25/peter-navarro-sentenced-contempt-congress/) after being [*convicted*](https://www.justice.gov/usao-dc/pr/former-white-house-advisor-convicted-contempt-congress) on contempt of Congress charges in September for failing to comply with a Jan. 6 committee subpoena. A federal judge separately [*threatened*](https://www.washingtonpost.com/dc-md-va/2024/02/20/navarro-contempt-white-house-records/) in February to hold him in contempt of court if he failed to turn over emails from his time in the Trump administration to the National Archives in a ruling the appeals court affirmed Monday.

“Navarro argues that the United States cannot use D.C.'s replevin statute because the [Presidential Records Act] itself has no express cause of action for the United States to seek the return of Presidential records,” the D.C. Circuit Court of Appeals court [*wrote*](https://storage.courtlistener.com/recap/gov.uscourts.cadc.39578/gov.uscourts.cadc.39578.1208609758.0.pdf) Monday. “Rather, in Navarro's view, the United States's only enforcement mechanism is to discipline current employees possessing Presidential records under Section 2209, a mechanism the United States cannot use against Navarro because he is no longer an employee.

“These arguments are without merit under clear, longstanding precedent,” the panel continued. [***(RELATED: Peter Navarro Speaks Out One Last Time Before Reporting To Prison)***](https://dailycaller.com/2024/03/19/peter-navarro-prison-contempt-of-congress/)

Navarro's argument “would leave the United States with no ability to retrieve Presidential records from employees if they refuse to return Presidential records after being disciplined or exiting federal employment,” the panel wrote.

Peter Navarro is serving his 4 mos sentence for contempt of Congress. But he was also facing contempt of court for failing to turn over records per the Presidential Records Act. Navarro was sanctioned by the trial court, and he appealed. Today he lost:

[*https://t.co/c0BzaoqMUb*](https://t.co/c0BzaoqMUb)

- Tom Ryan (@tomryanlaw) [*April 1, 2024*](https://twitter.com/tomryanlaw/status/1774872797871030734?ref_src=twsrc%5Etfw)

The Department of Justice (DOJ) [*sued*](https://www.washingtonpost.com/national-security/2022/08/03/navarro-emails-lawsuit/) Navarro for emails held on a private account he used while in office in August 2022, alleging he “wrongfully” retained property of the United States.

District Judge Colleen Kollar-Kotelly, a former President Bill Clinton appointee, [*held*](https://storage.courtlistener.com/recap/gov.uscourts.dcd.245941/gov.uscourts.dcd.245941.23.0_4.pdf) in March 2023 that Navarro would have to turn over the emails.

“But for Dr. Navarro's former workplace, very little about this matter would be remarkable, much less novel,” Kollar-Kotelly wrote. “Defendant agrees that he took property belonging to his former employer. He does not want to return the property.”

In the February [*ruling*](https://storage.courtlistener.com/recap/gov.uscourts.dcd.245941/gov.uscourts.dcd.245941.38.0_1.pdf) upheld Monday by the appeals court, Kollar-Kotelly wrote that it was “clear” after reviewing a random sampling of emails that Navarro “continues to possess Presidential records that have not been produced to their rightful owner, the United States.” She directed Navarro to produce the remaining “approximately 600 records” and threatened to hold him in contempt.

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**Graphic**

Peter Navarro, an advisor to former U.S. President Donald Trump, speaks to reporters as he arrives at the E. Barrett Prettyman Courthouse on September 07, 2023 in Washington, DC. The jury is expected to begin deliberating today in Navarro's contempt of Congress case for failing to comply with a congressional subpoena from the House January 6 Committee. (Photo by Kevin Dietsch/Getty Images)

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