

# [***Michigan Holds Presidential Primary; Hunter Biden to Testify Before Congress; Will Congress Avert Government Shutdown?; Georgia Murder Investigation; Interview With Rep. Nancy Mace (R-SC); Testimony Continues in Fani Willis Hearing***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BF2-JVG1-JCS1-6334-00000-00&context=1516831)

Fox News YOUR WORLD WITH NEIL CAVUTO 4:00 PM EST

February 27, 2024 Tuesday

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**Section:** NEWS; International

**Length:** 8689 words

**Byline:** Grady Trimble, Gerry Baker, David Spunt, Danamarie McNicholl, Rich Edson, Steve Harrigan, Charles Payne, Martha MacCallum, Andy McCarthy

**Guests:** Brad Coe, Nancy Mace, Tom Dupree

**Body**

ANDY MCCARTHY, FOX NEWS CONTRIBUTOR: To have somebody get out of the case is Wade, because you have all kinds of problems with some of his prior statements. Then you have Willis, and then you have the entire office.

I mean, the ultimate argument they're making is that the whole DA's office has to be removed from this case. Frankly, I think, at this point, if you're standard, as it should be, is the appearance of impropriety, at the very least, Willis and Wade should be off this case.

And then they should be able to establish whether she and he are so immersed in this that the whole office has to go.

MARTHA MACCALLUM, FOX NEWS ANCHOR: All right. Andy, thank you. Thank you very much, Andy, Andy McCarthy joining us.

That's "The Story" for this Tuesday, February 27, but the story goes on. We will see you back tomorrow with our special and our interview.

CHARLES PAYNE, FOX NEWS ANCHOR: To Georgia, where Fani Willis and her case against Donald Trump are again being put to the test after a star witness retakes a stand and is pressed on whether or not he lied.

That hearing is set to resume at any moment. When it does, we will take you there live.

Welcome, everyone. I'm Charles Payne, in for Neil Cavuto.

Let's go to Steve Harrigan in Atlanta with the very latest -- Steve.

STEVE HARRIGAN, FOX NEWS CORRESPONDENT: Charles, multiple attorneys pounding away at Terrence Bradley and really trying to undermine his credibility.

This man was a former law partner of Nathan Wade. Now, there's a text that he sent to one of the attorneys that basically said, Willis hired Wade before their relationship started. And now he's trying to say on the stand, I was just speculating. I don't really remember. I don't really know.

So there's been some hard back-and-forth with attorneys trying to pin him down. Is he lying now? Why did he send that earlier text? Here's some of that back-and-forth.

(BEGIN VIDEO CLIP)

STEVEN SADOW, ATTORNEY FOR DONALD TRUMP: Why in the heck would you speculate in this text message and say that it started when she left the DA's office and was a judge in South Fulton? Why would you speculate and say that in a text?

TERRENCE BRADLEY, FORMER ATTORNEY FOR NATHAN WADE: I knew they had met at the municipal court conference.

(END VIDEO CLIP)

HARRIGAN: The stakes here are extremely high.

For one, Fani Willis, the DA, and the prosecutor could be removed from the case. They could potentially face perjury charges. And the overarching case, the case against former President Trump and 14 others now, it could be delayed for months or even derailed -- Charles.

PAYNE: Steve Harrigan in Atlanta, thank you very much.

Of course, the big question is, which side did this testimony help today?

I want to bring a former Deputy Assistant Attorney General Tom Dupree.

Tom, listen, as a layperson watching this, it's always fascinating. It feels like the judge knows some things. He keeps saying, hey, save that for later. In other words, you're asking the same questions over and over. You're getting the same response. But it feels like the judge, if I'm looking and listening to the judge properly, that maybe, maybe they're scoring points, but that to elaborate or draw it out further has the way to a different phase of this.

TOM DUPREE, FORMER JUSTICE DEPARTMENT OFFICIAL: Yes, Charles, I think you're right. I think you're reading the room correctly.

This judge is someone, as we know, who interviewed this witness and the lawyers kind of in his chambers to find out exactly what he was going to testify, how far he could permissively testify. So this judge knows a lot more about what this witness is going to be saying than any of us do.

So I think you're absolutely right to read it that way. I also point out that I think the defense team has been using this witness very effectively. What they have been doing is confronting him with text messages that he sent long ago talking about when this relationship...

PAYNE: All right, we're going to go back to the courtroom.

UNIDENTIFIED MALE: His wife, Kyra Banks, works for the DA's office, right?

BRADLEY: Yes, correct.

UNIDENTIFIED MALE: When was the last time you spoke to Mr. Wade?

BRADLEY: I haven't spoken to Mr. Wade personally in a year or two years, actually, when I left the firm.

UNIDENTIFIED MALE: Ms. Willis?

BRADLEY: I never -- my interaction with Ms. Willis was never where I would pick up the phone and talk to her or that she would -- or anything like that.

UNIDENTIFIED MALE: So you didn't hang out with Ms. Willis? You didn't have a personal relationship with her?

BRADLEY: No, I never had a personal relationship. I mentioned before that I went to a dinner that was after she was elected that was at a steak house, but it was some 75 to 100 people there.

UNIDENTIFIED MALE: So you knew of her. You just didn't have a business relationship or personal relationship with her, at least a close one?

BRADLEY: I knew of her from my -- she was in the DA's office, and I had criminal cases, but I did not personally know her, no.

UNIDENTIFIED MALE: And not having known her, not really hanging out with her, you have got a contract for her office.

UNIDENTIFIED MALE: I'm going to just object as to cumulative, asked and answered throughout the...

(CROSSTALK)

JUDGE SCOTT MCAFEE, SUPERIOR COURT OF FULTON COUNTY, GEORGIA: All right, Mr. (INAUDIBLE) I think we covered this ground on the 16th about the contracts.

Do you have a -- are you going somewhere else with this?

UNIDENTIFIED MALE: I am, Judge. If you will give me a little latitude, I will.

(CROSSTALK)

MCAFEE: All right. OK, you may proceed.

UNIDENTIFIED MALE: You got a contract from the office not knowing or having a good relationship or a good working business relationship with Ms. Willis?

BRADLEY: That's correct.

UNIDENTIFIED MALE: That's because Nathan Wade steered that contract to you?

BRADLEY: I don't know how it came about, but it was presented to me at the office about the contract, correct.

UNIDENTIFIED MALE: Who presented it to you, Mr. Wade?

BRADLEY: Yes.

UNIDENTIFIED MALE: Is that -- and he owed you money, you said at one point

BRADLEY: Say that again.

UNIDENTIFIED MALE: Owed you money at one point?

BRADLEY: I don't recall saying that he owes me money.

UNIDENTIFIED MALE: Did he owe you money at one point?

BRADLEY: Not that I recall saying that Mr. Wade owes me or owed me money. I don't recall ever saying that.

UNIDENTIFIED MALE: I didn't ask whether you ever said that. I said, did he owe you or did he owe you money in the past?

BRADLEY: No, he didn't owe me money.

UNIDENTIFIED MALE: And so you -- he steered this contract to you, to your office, and you weren't really talking to him? You hadn't talked to him for two years?

BRADLEY: The contract was in 2021. I didn't leave until 2022.

UNIDENTIFIED MALE: And so you didn't talk with him that whole time?

BRADLEY: I left in 2022. I haven't really spoke to him since 2022 is what I stated, when I left June of 2022, around June, August dates of 2022.

UNIDENTIFIED MALE: Other than your -- one last question. Other than your attorney, who did you speak with today about giving testimony in this case today?

BRADLEY: I spoke to my attorneys, Charles Graham (ph) and B.C. Chopra.

UNIDENTIFIED MALE: I have nothing further, Your Honor.

MCAFEE: All right. And, again, I will just double check to make sure, did Mr. Cromwell ever join us by Zoom? Do we...

UNIDENTIFIED FEMALE: Your Honor, I think he's still having technical issues.

MCAFEE: OK.

UNIDENTIFIED FEMALE: He did e-mail me saying he has no questions. It appears that all the relevant questions were asked.

MCAFEE: All right. Thank you.

So, just for the record, Mr. Cromwell has been apparently watching the proceeding. He had waived his client's presence and didn't have any other questions as well.

So, turning it over to Mr. Abadi (ph).

UNIDENTIFIED MALE: Your Honor, I have no questions.

MCAFEE: All right.

Mr. Bradley, you can step down. Thank you, sir.

UNIDENTIFIED MALE: Judge, you want these exhibits?

MCAFEE: I will take this one.

(CROSSTALK)

UNIDENTIFIED MALE: May I be excused, sir?

UNIDENTIFIED FEMALE: I have a follow-up based on some questions. (OFF- MIKE) It's just about the texts.

MCAFEE: And what -- just by way of proffer, what about the texts?

UNIDENTIFIED FEMALE: Just to admit -- so when other people asked about the texts, some of them were in the record today, so I organized them. Those are the ones that have been talked about today. So I just organized them. And I just wanted, for point of reference, to add them.

MCAFEE: OK. And do we need Mr. Bradley for that?

UNIDENTIFIED FEMALE: I don't believe so, but...

MCAFEE: Have you marked them?

UNIDENTIFIED FEMALE: Yes.

MCAFEE: Have you showed them to the state?

UNIDENTIFIED FEMALE: I gave a copy to the state, but so these are...

MCAFEE: OK. Well, Mr. Bradley, just hang out just for one second just to make sure.

UNIDENTIFIED FEMALE: I will give you all of them.

(CROSSTALK)

UNIDENTIFIED MALE: ... all of them.

MCAFEE: And while he's looking at that, Mr. Bradley handed me a defense exhibit 23, 24, and 25.

BRADLEY: Judge, I didn't realize that they were in my folder.

MCAFEE: Oh, is that from the hearing?

BRADLEY: Yes.

MCAFEE: From on Friday?

(LAUGHTER)

MCAFEE: All right. Well, thanks for returning those.

(LAUGHTER)

MCAFEE: Let me make...

(CROSSTALK)

MCAFEE: OK. So I have got 23, 24, 25. Anything else in your binder?

(LAUGHTER)

MCAFEE: All right. Good. OK. And have we come to any conclusions on -- I'm sorry, how did you mark it?

UNIDENTIFIED FEMALE: I marked it. It's -- I think we're up to 39. Surprisingly (OFF-MIKE)

MCAFEE: All right, Defense Exhibit 39 is tendered and admitted without objection.

UNIDENTIFIED MALE: Well, no, it...

MCAFEE: Oh, I'm sorry. Oh, OK.

(CROSSTALK)

UNIDENTIFIED MALE: ... messages that weren't referenced today with -- or confronted as it relates to Mr. Bradley.

MCAFEE: OK. So these are additional text messages? Ms. Merchant?

ASHLEIGH MERCHANT, ATTORNEY FOR MIKE ROMAN: Yes. So what I did was, they objected that they weren't complete, because the first part of the text wasn't there. It was just like, oh, there was something before that that was said.

So what I did was I spent this whole time trying to line them up, so that I had the beginning of the texts, the middle, based on their objection. They have all the texts. They can admit all of them if they want them complete.

MCAFEE: All right. I -- how about -- I will just do this. Just I understand the desire just to have the complete text chain just for purposes of completing the record.

I think that there's no point in having him sit here and authenticate every single one of them. So I'm willing to admit it as a court's exhibit. And the only exhibits, though, that had been previously tendered or referenced in testimony would be ones that actually relied on for making any findings.

But just so it's on the record, we have the complete text chain, should that ever be an issue for some reason? Any thoughts about that, Mr. Abadi?

UNIDENTIFIED MALE: My only thoughts are this is not the complete text chain.

MCAFEE: Yes.

UNIDENTIFIED MALE: I would look -- to briefly look at Ms. Merchant's phone when she allowed us to have it work for a seconds, minutes.

MCAFEE: OK.

UNIDENTIFIED MALE: And there are text messages I know that I saw that are not in what is purported to these State's Exhibit 39.

MCAFEE: OK. All right.

(CROSSTALK)

MCAFEE: Ms. Merchant, what about that?

MERCHANT: I let them take screenshots of the ones that they thought weren't there. And he sent them to himself on my phone.

I have also offered to hook my phone up to whatever it is. My phone's an iPhone. This is an Android. I can't download like you could in a normal text. I told them, if they had a system to get all of my texts, they can have every single one.

UNIDENTIFIED MALE: We can definitely do that.

UNIDENTIFIED MALE: Your Honor?

MCAFEE: Yes, Mr. Rice (ph)?

UNIDENTIFIED MALE: Texts that she's submitting now and tendering into evidence, they are specific parts of the conversation.

The entire text chain is in a continuous conversation (OFF-MIKE) 601. Now, those particular parts, given the witnesses testimony, should be admitted (OFF-MIKE) statements with his testimony today. It would be up to the government...

(CROSSTALK)

UNIDENTIFIED MALE: .. state if they then want to introduce the rest of it. (OFF-MIKE)

MCAFEE: Yes. Sure. I think that's a fair point that, if he had been confronted with a particular text, that could have been the opportunity to admit it as a prior inconsistent statement for impeachment.

And some of them were. But, apparently, some of them were not.

MERCHANT: I'm taking those out. They're -- so it's going to be -- I'm taking out the ones that they said he wasn't confronted with. And I'm just going to admit the ones that he was confronted with then. That's fine. It just makes it more confusing.

MCAFEE: All right. So we have a newly marked, newly compiled 39.

Let's see what the state thinks of that one.

UNIDENTIFIED FEMALE: (OFF-MIKE)

MCAFEE: All right. Regardless, if that's now what is being discussed, again, I don't see a need for Mr. Bradley to be here any longer. So I'm going to excuse him at this point.

Thank you, Mr. Bradley.

UNIDENTIFIED MALE: Judge, may we be...

MCAFEE: Of course. Take care.

(CROSSTALK)

MCAFEE: Yes, that's right.

PAYNE: We're looking out at the courtroom where Terrence Bradley, former divorce lawyer and law partner of Nathan Wade, has testified for the past two hours. He was certainly pressed on when and what he knew about the relationship between Wade and Fani Willis.

I want to bring back -- well, first, let's go to -- let's bring back Tom Dupree, attorney, assistant -- former Assistant Attorney General Tom Dupree.

All right, Tom, we had a great conversation going there right before they resumed the testimony. And, again, you have got the layman, and this has captured America for a lot of reasons, our attention, but also the legal leads part of it.

But at the end there, there was a lot of Housekeeping. It felt like maybe something could come back around. We will talk about that later. But just your initial assessment, how did this play out? Who did this favor more, in your opinion?

DUPREE: Well, Charles, this is not the first time I have been interrupted by a judge, so I'm used to it.

(LAUGHTER)

DUPREE: But today's testimony, I think, no question benefited the defense team.

I thought that the defense team did a very effective job of getting Mr. Bradley really to engage the fact that he sent this text talking about when the relationship between the DA and Mr. Wade began. And I thought that the defense team successfully pounded away on him, saying, well, what was your basis for making this claim? Why did you send this text if you didn't think it was true?

And he tried to get out of it by saying, well, I was just speculating. And then I thought the defense very persuasively said, well, do you normally speculate or lie about your friends? And, I mean, what's he going to say to that?

So, overall, Charles, I thought that the defense team did a good use -- made a good use of this witness. I thought they brought out good evidence. And I didn't hear a compelling explanation from Mr. Bradley about why he sent those texts.

PAYNE: Let's share one of the more compelling moments with the audience right now. Take a listen to this exchange just from a moment ago.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Do you tell lies about your friends?

BRADLEY: I -- have I told lies about friends. I could have. I don't know.

UNIDENTIFIED MALE: Do you tell lies about your friends about a case of national importance?

UNIDENTIFIED MALE: Objection as to...

MCAFEE: Overruled.

BRADLEY: I could have. I don't know.

(END VIDEO CLIP)

PAYNE: Tom, that was a very intense moment. He paused a lot. He parsed a lot of words. Again, he is a lawyer.

And so the lying part really intrigued me, because it really was difficult for him to answer. In fact, there was an objection at one point, and the judge said, hey, he hasn't even answered the question yet. What do you -- from the judge's perspective, what do you think could be going through his mind with that exchange?

DUPREE: Well, I think what the judge thinks is, look, this guy sent texts that talked about when the relationship began. He obviously had a basis for sending those texts and for thinking the relationship began at that early date.

And the questions we just heard I think drove home for the judge's benefit the fact that people don't normally send texts lying about their friends or particularly in cases of national importance or speculating about these explosive issues.

In other words, the defense team made the point very powerfully that when he sent those texts, that's honestly what he thought, that's honestly what he believed, and he clearly had a reason for believing it.

PAYNE: The letter toward the end, there were some questions about whether or not -- when he was hired, whether or not at some point Wade owed him money.

And it feels like they were trying to get to a reason why he may be trying to cover for his friend and former law partner. How did that work out?

DUPREE: Yes.

Well, there too, at least, in my mind, it, frankly, raised more questions than it answered. I think that the defense team clearly has some sort of evidence that Mr. Wade was in debt to Mr. Bradley. But Mr. Bradley refused to admit it. And you could hear the lawyers kind of coming at it from about five or six different ways, saying, well, did you ever say he was in debt to you? Was he in debt to you?

And he kept saying no, no, no, no, no. So, ultimately, I don't think they proved that he was in debt. But who knows? It's possible the defense team will come up with some evidence later in this case that shows in fact the opposite, that he was in debt, which, of course, will call Mr. Bradley's testimony even further into question.

PAYNE: And let's take a listen to another very compelling part of this, and then I want to get your thoughts.

(BEGIN VIDEO CLIP)

CRAIG GILLEN, ATTORNEY FOR BISHOP EDDIE LONG: Did you lie to Ms. Merchant when you told her facts about Mr. Wade and Ms. Willis' relationship?

BRADLEY: I mentioned earlier that I speculated on some things. I have testified to what I did know.

So, I can't recall whether or not I -- no.

GILLEN: Mr. Bradley, speculation is kind of a weaselly lawyer word. Let's speak truth here. You're under oath.

When you were communicating different details of the relationship between Ms. Willis and Mr. Wade to Ms. Merchant, did you lie to her about any of those details?

UNIDENTIFIED MALE: Objection. Asked and answered twice.

MCAFEE: I don't think he's answered yet.

BRADLEY: I don't recall ever whether any of it was a lie or not.

(END VIDEO CLIP)

PAYNE: That's powerful. Not recalling whether it was a lie or not is really tough stuff, Tom?

DUPREE: It sure is.

And, Charles, that was really one of the hallmarks of today's hearings is again and again and again the witness, Mr. Bradley, kept saying he didn't recall, he didn't remember things that obviously he's not going to forget, things that happened very recently, very dramatic things, dramatic stories he was told, all of this.

He just seemed to have these massive memory failures. And it's obviously he didn't want to admit things that would hurt Mr. Wade, but at the same time I think the judge understands exactly what's going on here, and I think the judge is going to be left with the conclusion that Mr. Bradley was not a very credible witness.

And it's more appropriate for the judge to rely on the text and the evidence of those messages Mr. Bradley sent, rather than the stories that he was telling today in court about not remembering a thing.

PAYNE: Tom, hold it right there. I want to go back to Steve Harrigan in Atlanta for more details on the latest -- Steve.

HARRIGAN: I think this was a real takedown of the former law partner of Nathan Wade.

It started out slow, really meandering, but by the end, they were asking him, do you lie about your friends? And there was a lot of hesitation in his answers. This is basically about a gap, a gap between a text message some time ago when he said basically the relationship between Wade and Willis started long before Wade was hired and now saying, oh, I don't remember, that's just speculation.

I think he was hammered pretty hard. And you could see some of the frustration the attorneys after a while. This was clearly someone who didn't want to be there, clearly someone who didn't want to talk, who the judge really had to drag behind chambers yesterday for an hour-and-a-half, pretty much compelled him back out there.

And I don't think he made a very good showing for himself. I think his credibility was hurt pretty bad, and those texts really coming out and saying, this relationship started early are going to hurt.

PAYNE: Steve, to that point over and over again, the attorneys reminded Mr. Bradley that he was under oath.

And you have to wonder at least the curiosity here is or inferred that, you're a professional, you are a lawyer, and there could be consequences, not just typical consequences for lying on the oath, but professional consequences as well. Did you feel that in the courtroom?

HARRIGAN: I think definitely there could be consequences for everyone involved, for Bradley himself and his testimony, for the district attorney and the chief prosecutor as well.

They gave affidavits under oath as to when their relationship started. If they're shown to be lying, they could face consequences and also consequences for the case itself. Keep in mind, this is a lot -- about a lot more than just an office romance. This is about the former president of the United States in a major case, a case that could be delayed for months or completely derailed because of this behavior.

PAYNE: Watching the judge and how he sort of refereed this thing, it really felt like he gave a lot of leeway. Even when the one attorney said speculation is a weaselly lawyer word, I thought the judge would be offended, but he was not offended.

In fact, he continued. He sort of -- he allowed Bradley to be pressed. And he also inferred that there would be an opportunity to pick back up on some of the questions that were repetitive later on. And it just feels like the judge has an -- he knows something and everyone else in that courtroom, probably the professionals, know it as well.

HARRIGAN: Charles, I feel like you're really getting at something with this judge. I think he has tried to let the game play out and been largely hands-off.

I think that's why it's been such compelling testimony. We have seen real bursts of emotion from both sides, people calling each other weasels and liars. Keep in mind earlier, the testimony of Fani Willis, the DA herself, where she attacked several of the defense attorneys. So, we have seen a lot of emotion.

The judge himself, very calm, very hands-off, letting those emotions often play out in court.

PAYNE: Steve, great job handling all of this. Thank you very much.

I want to go back. Let's bring back Tom, Tom Dupree.

And, Tom, on that -- we have friends, we have close friends, we have people who have given us jobs, who have given us opportunities we feel indebted to. It's just -- it's a tough one to think that Terrence Bradley may have put his career on the line for something that maybe there's going to be enough evidence that it will be inconsequential, certainly not a risk worth taking.

DUPREE: Yes.

And, Charles, when you kind of look at how this whole thing has unfolded, I mean, it's really unfortunate, in all stemmed from Fani Willis' dreadful, colossal misjudgment to make Mr. Wade a special prosecutor, even though she appears to have been in a romantic relationship with him at the time.

So she made this horrible mistake at the beginning of this. That then dragged Mr. Wade into it. We saw he was testifying. He now stands accused of maybe fabricating testimony or even lying under oath. Now it's extended to yet another person, Mr. Bradley, who is Mr. Wade's former lawyer. And now he stands accused of maybe not being entirely honest and forthright on the stand.

So it's fascinating to see just how it's one misrepresentation or even a lie begets another and another and another. And now there are three people who've all gone under oath, all testified, and, in every case, their testimony has been called into question immediately.

PAYNE: And to that point, Tom, when the questions -- when they were asking about the contract, that he didn't know Willis, and yet not knowing Willis, he received this contract, which is a pretty substantial contract, and that it was probably steered by Nathan, his friend Nathan, this is -- again, gets back to the relationship that they had, how close it was.

And a lot of people are saying that certainly when it came to Mr. Wade, that he wasn't even necessarily qualified to take -- to have such a contract in the first place, that his area of legal expertise does not match the enormity of this particular case.

DUPREE: Yes, and I think there are a few things going on here.

One is to your point about his expertise not matching the enormity, which is very well put. Look, when even The New York Times is calling into question Mr. Wade's qualifications for this job, you know there's an issue. It is hard to imagine that Fani Willis conducted a nationwide or at least statewide search throughout Georgia for the most qualified, experienced, best darned prosecutor to go after former President Trump and selected Nathan Wade. That's just not plausible.

The second point is that this whole deal about maybe Mr. Wade helping funnel contracts to his friend Mr. Bradley, that just further reinforces all this kind of insider baseball that's going on here, with friends hiring friends, friends passing off government contracts to friends. I mean, the whole thing has a sort of sordid air about it.

PAYNE: What happens next, Tom?

DUPREE: I think what happens next is the judge is going to take all of this, everything he's heard, all the testimony, all the evidence under consideration, probably as soon as this Friday.

My guess then is he's going to want to think about this long and hard. I would imagine he will take at least the weekend, maybe going into next week, and figure out what is to be done. It's hard for me to see the judge, having heard everything that we have all heard, having seen everything that we have all seen, would conclude that the right outcome here is just to let this prosecution pick back up where it left off with Fani Willis and Nathan Wade still in charge of it.

Hard to imagine that happening. I think the likelier outcome is he's going to make some sanctions, some sort of punishment, and possibly kick them off the case and maybe even the disqualification going further.

PAYNE: Tom Dupree, thank you very much. Always appreciate your expertise.

To another Georgia case putting the border crisis front and center and President Joe Biden on the defense.

We will be right back.

(COMMERCIAL BREAK)

PAYNE: To Eagle Pass, Texas, where Donald Trump will be touching down as President Biden is teeing up his border visit. Plus, Congressman Nancy Mace is coming up as well.

We have a lot to cover, and we're back in just 60 seconds.

(COMMERCIAL BREAK)

PAYNE: FOX on top of the White House on defense over the border crisis, as an illegal border crosser is suspected of killing a student in Georgia and another illegal border crosser is facing two counts of sexual assault of a minor in Virginia.

It comes as President Joe Biden and former President Donald Trump prepare to head to the border on Thursday. Coming up, we will talk with Texas Sheriff Brad Coe on what he wants to see happen to combat this crisis.

But, first, let's go to Rich Edson at the White House, where a briefing just wrapped up -- Rich.

RICH EDSON, FOX NEWS CORRESPONDENT: Hey. Good afternoon, Charles.

Well, earlier today at the White House, the top Democrat and Republicans in the House and Senate met here at the White House with President Biden in the Oval Office to discuss government funding, trying to keep the government open, when funding is set to aspire for some of the government Friday, though this conversation was about a lot more than just.

That meeting covered aid to Israel and Ukraine and the southern border. House Speaker Mike Johnson says his purpose today was to express that the federal government needs to take care of America's needs first and, that's securing the border. Once the administration addresses that, he says, House Republicans will handle aid for Ukraine and Israel in a timely manner.

The White House says Republicans already negotiated that deal among senators, and then they walked away.

(BEGIN VIDEO CLIP)

JOHN KIRBY, NSC COORDINATOR FOR STRATEGIC COMMUNICATIONS: The speaker has decided exactly what he wants to do here and then move out. He says he wants to act in a timely fashion Ukraine. Well, let's go. Let's get them what they need.

And the president is more than willing to have discussions about the border.

(END VIDEO CLIP)

EDSON: The White House says Congress needs to pass a bill on border enforcement with more funding. Republicans maintain Biden has all the authority he needs to reverse the executive orders he signed early in the administration, upending Trump era policies.

(BEGIN VIDEO CLIP)

SEN. BILL HAGERTY (R-TN): We're going to demonstrate it time and time again until the Biden administration wakes up and realizes that if you enforce the law, you can stop this mayhem.

(END VIDEO CLIP)

EDSON: President Biden is scheduled to go to the border Thursday. That's near Brownsville, Texas, former President Trump also going to be in Texas on Thursday at the border at Eagle Pass -- Charles.

PAYNE: Rich, thank you very much.

Disturbing new details are emerging about the murder of Georgia nursing student Laken Riley.

We want to go to FOX's Danamarie McNicholl in Athens, Georgia, on what we're learning -- Danamarie.

DANAMARIE MCNICHOLL, FOX NEWS CORRESPONDENT: Charles, we're learning new details from police about what happened to Laken Riley the morning she was murdered.

Now, we do believe she started her run on this exercise trail clearly marked on campus. And as you can see right behind me, that trail veers off into a secluded wooden (AUDIO GAP) Jose Ibarra. Now, new documents reveal gruesome details, and these are hard to hear.

It says (AUDIO GAP) and used a weapon to seriously disfigure Riley's skull. The coroner has said Riley died from blunt-force trauma to her head, but we don't yet know the murder weapon. Now this map shows the running trail Riley could have been running on that shows the 60 acres of densely wooded property on this campus.

Now (AUDIO GAP) Riley from making a 911 call. It's unclear in what order these events happened or the time frame. UGA police says the two did not know each other and this was a crime of opportunity, the motive also unclear. Today, we're also hearing that Athens police cited Ibarra and his brother for shoplifting in October.

The police report says the brothers stole $200 worth of clothes and food, but they were not arrested. Police also confirmed that Jose Ibarra lived about five minutes from where we're standing right here, where this potentially could give him access and knowledge of the crime scene. He now sits in jail without bail awaiting that next (AUDIO GAP)

PAYNE: Thank you, Danamarie.

So, what do Jose Ibarra in Georgia and Renzo Mendoza Montes in Virginia have in common? Officials say both suspects crossed into the United States illegally through Texas.

What does Kinney County, Texas, Sheriff Brad Coe want to see happen to combat this border crisis? He joins us now.

Sheriff, you have been sounding the alarm for so many years and you have warned of these things over and over again. They keep coming to fruition. What can be done?

BRAD COE, KINNEY COUNTY, TEXAS, SHERIFF: Good afternoon, Charles.

What needs to happen is better communication between local law enforcement and the federal government. The federal government needs to do their job, enforce immigration laws. These two individuals, the first time they were arrested, should have been deported right back to their home country, whether it was for shoplifting $200 worth of food or jaywalking.

PAYNE: But we're in a country where you have a lot of sanctuary states, a whole lot more sanctuary cities, where it just feels like, to the rest of the world, there's a red carpet.

Once you get in this nation, this country, you are allowed to roam free. In many cases, you can be financially -- you benefit financially. And we -- it's just -- you talk about cooperation. We need cooperation at almost every level, not just law enforcement, but enforcing the laws in general.

I mean, do you think the American public -- and I think if you look at the polls, maybe they do -- are starting to understand what you saw, what you knew a long time ago?

COE: I think they're starting -- I think the general population that is starting to wake up on what's going on.

These sanctuary cities, in this case, when this individual was first arrested in New York, he was released. He wasn't -- they didn't even contact ICE about him to get a detainer put on him. So they are in a way responsible for the murder of Ms. Riley. Had the protocol been followed correctly, notify ICE, let them put a detainer on him, let them pick him up and deport him, she would still be alive.

PAYNE: President Biden visiting Texas in a couple of days. What would you like -- what would you like him to see in terms of really an honest portrayal of what's going on down there?

Because I'm afraid that there may be some sugarcoating going on.

COE: There's going to be a lot of sugarcoating going on, because any time an individual like that shows up at the border, they get the border shut down, they move everybody else, so he doesn't have to witness it or see anything.

And I can understand to a degree Secret Service keeping him safe, but he will never, ever see what we're seeing in Eagle Pass or what we have been seeing in Eagle Pass and in this part of the country, because they will sugarcoat it for him to the nth degree.

PAYNE: Yes, it's like a Potemkin village.

There will be -- there's speculation there will be some sort of an executive order, because this has become such a huge election issue, not -- we don't know what's going to be in there, but what would you like to see in there, if President Biden goes through with that?

COE: Just have him go back and delete the ones that he signed and go back to the Trump era, where everything was being held in Mexico until it could be properly vetted through the United States.

That's not the problem. The problem is, he's not going to do it.

PAYNE: You don't think he will go that far? I mean, he's got to do something. He can't -- he continues to point fingers at Republicans. That's not working. So he's going to do something.

I have even heard speculation he may resume building some of the wall.

COE: Well, there's talk of him resuming building some of the wall, and I think they will start. But I think they're -- you're closing the barn door after the cows have gotten out.

PAYNE: Yes, great point.

Sheriff Brad Coe, thank you for all the work you do and thank you for coming on.

COE: And thank you, sir. You -- God bless you. You all have a great day.

PAYNE: Georgia Republican Governor Brad -- Brian Kemp is calling for swift action on the border from the White House. What has he heard back? Well, the governor is going to be sitting as Neil's special guest tomorrow on "Your World."

To Capitol Hill when we come back, the big four meeting with the president, remember, just four days left to a very partial shutdown. Where is this showdown heading? We're going to go to Republican South Carolina Congresswoman Nancy Mace.

She's next.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

SEN. CHUCK SCHUMER (D-NY): The overwhelming sentiment in that meeting is, we have got to do Ukraine now. There are other issues, including border, which we should address, but not now. We said to the speaker, get it done.

REP. MIKE JOHNSON (R-LA): The first priority of the country is our border and making sure it's secure. It's time for action. It is a catastrophe, and it must stop.

(END VIDEO CLIP)

PAYNE: Congressional leaders meeting with President Biden over government funding today, as the deadline to avert a partial shutdown is just four days away.

Chad Pergram is on Capitol Hill with more -- Chad.

CHAD PERGRAM, FOX NEWS CONGRESSIONAL CORRESPONDENT: Charles, good afternoon.

They are running out of track. Bipartisan congressional leaders believe they can avoid a partial shutdown. But no one says how. FOX caught House Speaker Mike Johnson before the White House meeting. Johnson did not return to the Capitol afterwards.

(BEGIN VIDEO CLIP)

PERGRAM: Mr. Speaker, is there going to be a government shutdown?

JOHNSON: No, we're going to work to prevent that.

(END VIDEO CLIP)

PERGRAM: Senate leaders avoided talking about the need for an interim spending bill to bridge a lapse in funding Friday night.

If time runs out, programs for housing, transportation, agriculture, military construction, plus energy and water go dark.

(BEGIN VIDEO CLIP)

SEN. MITCH MCCONNELL (R-KY): I think it was optimistic that they will be able to move forward first with the four bills.

And under no circumstances does anybody want to shut the government down. So I think we can stop that drama right here before it emerges.

(END VIDEO CLIP)

PERGRAM: But there is drama.

A senior House GOP source told FOX they believe there will be a shutdown. The source also believed Johnson was afraid of backlash if he does a fourth temporary bill. Senate Majority Leader Chuck Schumer says avoiding the shutdown is a challenge.

(BEGIN VIDEO CLIP)

SCHUMER: We're getting closer. I mean, obviously, what happens is people say, well, we add this. I got to go back and look. No, not this. Well, add that, no, that. So it takes a while. But we're narrowing -- we're greatly narrowing the ground of where the disputes are.

(END VIDEO CLIP)

PERGRAM: No impeachment trial for Homeland Security Secretary Alejandro Mayorkas until the government is funded.

McConnell today endorsed a full impeachment trial. Schumer called his impeachment -- quote -- "absurd." He did not say how he'd handle a trial -- Charles.

PAYNE: Chad Pergram, thank you very much.

So, the big question, of course, is where is all of this heading?

I want to bring in South Carolina Republican Congresswoman and Armed Services Committee member Nancy Mace to join us now.

Congresswoman, you know what was intriguing is, we heard a sound bite where you had Chuck Schumer saying the top priority was Ukraine, and then you had the speaker of the House saying the top priority for Americans was our border.

I think most -- most Americans agree with the latter.

REP. NANCY MACE (R-SC): Yes, the vast majority of Americans agree that our border is our number one and should be our number one priority every -- all -- everywhere across the country, because every state has become a border state now.

We're seeing the consequences of over eight million individuals, illegals come across our southern border, and the cost taking on our -- the toll it's taking on our economy in cities everywhere. And what I saw today is Schumer, this is going to -- if we shut down, this is going to be the Schumer shutdown.

No Republican wants a government shutdown. All we want is border security, which Joe Biden can fix, and mild spending constraints to get through the rest of this year. This is not rocket science. These are bills that Republicans sent over to the Senate as early as May of last year, and we sent over H.R.2, and then we had the appropriations bills last fall.

This can all be avoided if Schumer would have played ball with the House.

PAYNE: If there is a shutdown, I think Schumer probably believes that the media spin will be that it's the Republicans' fault. More typically, that's the way the narrative is written. And perhaps that's his ace in a hole to pressuring the Republican Party.

Will it work?

MACE: Well, it's hard to say. I'm on the ground now and we have got votes this week. We will see where folks are as I talk to my colleagues.

But this -- make no mistake. This will be the Schumer shutdown. He's had every opportunity to take up appropriations bills. Our House appropriators have worked really hard over the last six to nine months on their bills, their spending bills. We had two border security measures come through the House over to the Senate last year.

This did not need to happen. We didn't need to be on this short of a rope with just a few days before his shutdown. And the left will be aided and abetted by corporate mainstream media to spin that narrative. This is not the fault of Republicans. We have actually been responsible by sending appropriations bills over to the Senate...

PAYNE: Right.

MACE: ... because that's what the law requires. And we have done a great job of that.

PAYNE: You know, a moment ago, Kirby, Admiral Kirby, was in a briefing, and he said that President Biden is willing to have discussions on the border.

I just -- you become so flabbergasted that -- because every time I hear that, it means we're going to kick the can down the road. We can talk about it. But I think the time for talking is over.

MACE: No more talk. We need action.

And we have all seen Eagle Pass. We have seen the videos. We have seen over eight million illegals cross our southern border. We have seen the cost and toll it's taken on states across the country, including the state of South Carolina. Joe Biden today could reverse course and reinstate every good Trump policy on the border. He kept our border safe.

He kept our communities safe. He had the wall being built, over 550 miles of wall. He had remain-in-Mexico. He had Title 42. He followed the laws of this nation. He supported our Border Patrol. Joe Biden could do all of that today and reverse course, but he refuses to take action.

PAYNE: Yes, well, they're putting a political finger in the wind, and that might be the deciding factor.

Thank you very much. Always appreciate it.

MACE: Thank you, Charles.

PAYNE: Hunter Biden back on Capitol Hill today for what's expected to be a contentious back-and-forth.

FOX News' David Spunt is in Washington with the very latest ahead of his deposition -- David.

DAVID SPUNT, FOX NEWS CORRESPONDENT: Hi, Charles.

Well, tomorrow is going to be a second chance for Hunter Biden to come in and sit down for this formal deposition. And I will add he will be under oath.

Remember, back in December, technically, Hunter Biden did show up to Capitol Hill, just not inside the hearing room. Instead, he stood, as you see right there, with the Capitol dome behind him as he laid out his case for why he believes Republicans are playing some ***politics***.

House Republicans want to ask Hunter Biden tomorrow about his business deals to see if and how those deals directly relate to his dad, the president. Tomorrow's deposition is part of the overall impeachment investigation into President Biden. And, of course, Hunter has been a large part of that.

His legal team has proudly been citing the recent arrest of Alexander Smirnov, the former FBI informant who is behind bars today after a judge determined he's a flight risk. Smirnov was charged with lying to the bureau when he said that both Joe Biden and Hunter Biden received $5 million each in bribes from Ukrainians, which was a talking point from Republicans for several months.

Watch from September.

(BEGIN VIDEO CLIP)

REP. ELISE STEFANIK (R-NY): A highly credible FBI source alleges that Joe Biden received $5 million in exchange for pressuring for the firing of a Ukrainian prosecutor who was investigating the Ukrainian natural gas firm that Hunter Biden was on the board of, Burisma.

(END VIDEO CLIP)

SPUNT: And while Democrats say that the Smirnov allegations end the inquiry, Republicans insist, Charles, they're also looking at Chinese connections to Hunter Biden, payments from Romania, and their investigation is much more than Alexander Smirnov.

Again, this will be a closed-door deposition, begins at 10:00 a.m. Tomorrow, and a transcript will be released in the coming days -- Charles.

PAYNE: David, thank you very much.

To Michigan, where Nikki Haley and Donald Trump are facing off, and President Joe Biden is facing a protest vote in primaries there, why this could be his biggest test yet as polls close in just about four hours. And we're on it next.

(COMMERCIAL BREAK)

PAYNE: You're looking live at Royal Oak and Grand Rapids, Michigan, where voters are casting their ballots before polls close in less than five hours.

Grady Trimble is in Bloomfield Township, Michigan.

Grady, how things going there?

GRADY TRIMBLE, FOX NEWS CORRESPONDENT: Charles, it's kind of slow right now. But there's been a steady stream of folks all day.

And we have talked to several Democratic voters who say they are not voting for President Biden. And, instead, on their ballots, they're marking uncommitted. They're not happy in many cases with President Biden's handling of the war in Gaza. So they see this as a way to protest and maybe get President Biden's attention in this critical swing state.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: It is entirely possible that the uncommitted vote could sway the president's policy on this.

UNIDENTIFIED MALE: For right now, I will not vote for him, no.

(END VIDEO CLIP)

TRIMBLE: On the Republican side, former President Trump is counting on support from Michigan's blue-collar workers and those who say this primary is all about the economy, crime and, yes, even as far north as we are, what's going on at the southern border.

(BEGIN VIDEO CLIP)

TRIMBLE: What do you think of the current administration's handling of the border?

UNIDENTIFIED FEMALE: I think it could be a whole lot better, yes. I don't think that -- I just don't know if there's a lot of handling of it, honestly.

UNIDENTIFIED MALE: The border is terrible. The border is terrible.

UNIDENTIFIED MALE: I'm worried about illegal immigration and people coming over with criminal records.

(END VIDEO CLIP)

TRIMBLE: Former South Carolina Governor Nikki Haley is doing everything she can to stop Trump or at least eat into his lead here.

She's had two stops in Michigan this week. And for the rest of the week, she's visiting Super Tuesday states. She's been in Colorado today trying to make the case that Trump can't win in a general election this November.

But if the polls are right, President Trump is on track for another big win here today. We should point out, Charles, that 16 delegates are up for grabs in the GOP primary today. The remaining 39 delegates here in Michigan will be divvied up at the state-run convention -- GOP -- state GOP-run convention later this week. So that gets us to the total of 55, with 16 today and 39 later in the week at that convention, Charles.

PAYNE: Grady Trimble in Michigan, thank you very much.

President Biden is facing a key test in this primary. So how does my next guest see it playing out?

Wall Street Journal editor at large Gerry Baker joins me now.

Identity ***politics***, I think, coming back to bite the Democratic Party.

GERRY BAKER, HOST, "WALL STREET JOURNAL AT LARGE": Yes, very much so. I mean, we will see how big this uncommitted vote is.

I mean, I'm a little bit skeptical about this whole Biden strategy here and this concern about Michigan, because polling suggests the overwhelming majority of Americans support Israel, very strongly pro-Israel. There's a poll out today that showed 80 percent of Israel over Hamas.

They seem to be fixated on this Arab-American population, which is reasonably significant in Michigan, but it's small in terms of the overall picture. I just wonder whether, if there is a big noncommitted vote in it, it is attributed to that, in particular, to Biden's policy on Gaza, I think they're just making a mistake.

PAYNE: All right.

BAKER: They should be ignoring that and getting -- and doing the right thing.

PAYNE: Well, I don't -- what was the margin of victory? The victories in these swing states were razor-thin, though.

BAKER: Very small.

PAYNE: Like, combined, just a few thousand people, so losing a few thousand in one particular state could be -- could mean a lot.

BAKER: Well, Michigan was a bit larger, actually, than the really...

PAYNE: Was it?

BAKER: Michigan was about 100,000 -- I think it was about 100,000 votes. But it's still relatively small.

And there are supposedly 200,000 Arab-American voters who could probably swing it that way. But there's also -- there's a significant Jewish population in Michigan, which I think is going to support whichever party, actually, and which -- the president who actually strongly supports Israel.

PAYNE: Right.

You just touched on, though, the sort of the Squad and the overwhelming influence that it's had. Now, I don't hear much about AOC anymore, but they have always had overwhelming influence on this party, and it feels like it has backfired on the Democrats in many areas.

BAKER: Very much so, Charles.

I mean, just, again, why are you allowing this very extreme left-wing section of your party to drag the party, to be the face of the party? Rashida Tlaib it is who's leading this campaign in Michigan for the uncommitted vote. That can only -- she's way, way to the left of most American voters and most Democratic voters.

So, again, this is typical of Biden, I think, being pushed along by the left wing of his party, whether it's on immigration, whether it's, again, on this issue, whether he does -- if he does move on Gaza, on so many other issues too, on the woke stuff. He's been pushed way, way beyond where the American people want to be.

PAYNE: Yes.

Let's switch gears, Nikki Haley vowing to stick around, but you say her supporters will rally around Trump over Biden in the end. So what does she get out of it?

BAKER: Look, I think it takes -- she's -- we will see what happens tonight in Michigan. Polling suggests she's going to get absolutely crushed 2-1, 3- 1 maybe, 75, 25 percent.

It takes a bit of a chutzpah, Charles, to then come out and say, the man who's just beaten me by 3-1 is unelectable, right? I mean, I -- look, I do understand there's a big debate about whether or not those voters -- we have now had four primaries, four states where about 30 to 40 percent of voters don't vote for Trump. They're voting for Haley instead.

There is a debate about whether they go with Trump in the fall.

(CROSSTALK)

PAYNE: Although, South Carolina, she was the governor.

BAKER: Exactly. Exactly.

PAYNE: In New Hampshire, a lot of non-Republicans were allowed to vote.

BAKER: Exactly. Exactly.

PAYNE: So those numbers are skewed anyway, those percentages.

BAKER: I suspect, look, if the competition, if the choice for those voters in November were between Biden and Haley -- sorry, between Trump and Haley -- I don't doubt that they would still back Haley, but it's not.

It's going to be between Trump and Biden. And they're going to have to ask themselves, do they want four more years of Joe Biden? Whatever their misgivings about Trump, which they certainly have, do they want four more years of Joe Biden, or are they really actually just going to actually vote for Trump?

And I think, in the end, most of those voters are going to come home.

PAYNE: Gerry, before I let you go, are you surprised at the poll numbers for President Biden -- I mean, President Trump at this stage of the election?

BAKER: Not really, because I think -- look, on the one hand, people -- he doesn't get -- he's not popular. He doesn't get high ratings in terms of his personality.

PAYNE: But he's winning in every swing state.

BAKER: He's winning in every swing state. Biden is in -- look, Biden -- immigration, Charles, has risen right to the top of the agenda. And that is the issue on which Biden gets the lowest marks from the electorate.

PAYNE: Right.

BAKER: For the first time in 20 years, immigration is more important than any economic issue. I'm not at all surprised that Trump does well in those circumstances.

PAYNE: Great.

Hey, Gerry, thanks.

BAKER: Thanks, Charles.

PAYNE: Folks, thank you very much. You can catch me tomorrow at 2:00 p.m. Eastern on the FOX Business Channel. A lot of stuff going on with the market.

But, right now, I will leave you in the capable hands of "The Five." They will do OK.

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