

# [***Fani Willis' Donald Trump Prosecution 'Tainted'—Legal Analyst***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BJW-SN21-DY68-10M0-00000-00&context=1516831)

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**Highlight:** Harry Litman suggested that the handling of the allegations against Willis have cast a shadow over the Trump investigation.

**Body**

Legal analyst and attorney Harry Litman suggested on Friday that [*Fani Willis*](https://www.newsweek.com/topic/fani-willis?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)' prosecution of former President [*Donald Trump*](https://www.newsweek.com/topic/donald-trump?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) remained "tainted" despite special prosecutor Nathan Wade resigning from the case.

Willis, the district attorney for Georgia's Fulton County, has been leading the investigation that brought [*a criminal indictment against Trump*](https://www.newsweek.com/read-full-donald-trump-georgia-indictment-2020-election-probe-1819726?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) for his alleged efforts to overturn the results of the 2020 election in the state. Trump faces charges of racketeering in the case, alongside numerous other co-defendants, which he pleaded not guilty to during his arraignment hearing.

Despite many experts concurring that the evidence in the case is damning against Trump, Willis and her office have found themselves embroiled in controversy over allegations brought by the legal team of co-defendant, Mike Roman, alleging that she maintained an improper romantic relationship with Wade. Wade, an outside attorney, was brought on by the district attorney to aid in the Trump investigation. Roman has also pleaded not guilty to all charges in the case.

Willis strongly denied any notion that her personal relationship with Wade had any bearing on the merits of the case against Trump. Nevertheless, following a hearing on the matter, Judge Scott McAfee ordered that, in order to address the situation, either Willis or Wade would have to step down. [*Wade departed the case*](https://www.newsweek.com/read-full-nathan-wade-resignation-letter-fani-willis-1879848?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) on Friday shortly after the ruling came down.

Writing in a Friday column for the *Los Angeles Times*, Litman, who previously served as a U.S. attorney for the Western District of Pennsylvania and deputy assistant attorney general at the [*Department of Justice*](https://www.newsweek.com/topic/department-justice?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) (DOJ), warned that "it would be a mistake to assume that Wade's withdrawal puts an end to the ugliness and doubt surrounding Willis' handling of the case" and that "prosecution revolving around an infamous Trump sound bite…is now tainted by an 'odor of mendacity.'"

"But the order, and the circus-like atmosphere of the multiday evidentiary hearing that preceded it, in some ways served only to intensify the controversy surrounding the case and ensure that the rhetorical challenges will continue," he wrote. "Notwithstanding the decorous and professional language of McAfee's order, it lands several haymakers on Willis' judgment and probity. Probably the most notorious and enduring is his assertion that 'an odor of mendacity remain' around the testimony of Willis and Wade, specifically as to the timing of their relationship. It's a phrase that could have a continuing political impact in Georgia and nationally."

Litman was generally critical of the allegations against Willis in his column, calling the situation "deeply unfair, and…certainly steeped in a Southern stew of racial and sexual ***politics***." He was also critical of McAfee's decision, calling him out for wading "into amorphous 'appearance of conflict' territory to justify the difficult choice he served up to Willis and Wade," and calling the allegations from Roman's legal team "meager."

Elsewhere in the piece, Litman suggested that the ruling from McAfee would give Trump and other [*Republicans*](https://www.newsweek.com/topic/republicans?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) considerable political ammunition to use when campaigning in the state. Having tipped for [*Joe Biden*](https://www.newsweek.com/topic/joe-biden?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) in the 2020 by a razor-thin margin, Georgia is predicted to be a hotly contested swing state in November.

In a written statement to *Newsweek* on Saturday afternoon, Dave Aronberg, the state attorney in Florida's Palm Beach County, suggested that the case would only remain tainted to supporters of Trump who have already written off his various legal battles.

"The case should only remain tainted in the eyes of the MAGA world, which will always disbelieve anyone and anything that tries to hurt their leader," Aronberg wrote. "You can't persuade the unpersuadable, so DA Willis needs to move forward and focus on the facts and the law. She should put all the other stuff behind her and take the W that the judge provided. If the evidence is strong enough, an independent jury of the defendant's peers will deliver justice."

[*Link to Image*](https://d.newsweek.com/en/full/2363208/fani-willis-tainted-investigation.jpg)

**Graphic**

fani willis tainted investigation

Alex Slitz-Pool/Getty Images

Above, a photo of Fani Willis in an Atlanta, Georgia, courthouse on March 1, 2024. Legal analyst Harry Litman argued that the handling of the allegations against Willis and Nathan Wade have “tainted” the Trump racketeering case.

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