Judge rejects Trump’s request in rape defamation case

Date: 2020-10-27

Authors: The Nation, .Wp-Block-Co-Authors-Plus-Coauthors.Is-Layout-Flow, Class, Wp-Block-Co-Authors-Plus, Display Inline, .Wp-Block-Co-Authors-Plus-Avatar, Where Img, Height Auto Max-Width, Vertical-Align Bottom .Wp-Block-Co-Authors-Plus-Coauthors.Is-Layout-Flow .Wp-Block-Co-Authors-Plus-Avatar, Vertical-Align Middle .Wp-Block-Co-Authors-Plus-Avatar Is .Alignleft .Alignright

Source: https://thenationonlineng.net/judge-rejects-trumps-request-in-rape-defamation-case/

Judge rejects Trump’s request in rape defamation case  
  
Our Reporter  
  
A federal judge has denied President Donald Trump’s request for the United States government to replace him as the defendant of a defamation lawsuit related to a decades-old rape allegation that allegedly occurred in the 1990s.  
  
Judge Lewis A Kaplan of Federal District Court in Manhattan ruled on Tuesday that Mr Trump was not an “employee of the Government within the meaning of the relevant statues.”  
  
“Even if he were such an ‘employee’, President Trump’s allegedly defamatory statements concerning Ms Carroll would have not been within the scope of his employment,” Judge Kaplan wrote in his decision.  
  
The Justice Department attempted to step into the defamation lawsuit and defend the president by arguing what Mr Trump said against writer E Jean Carroll while in office was within the scope of the presidency. This move, if sided on by the judge, would’ve likely ended the proceedings, since the US government cannot be sued for defamation.  
  
But now, for the moment, the lawsuit can move forward against Mr Trump, as he was deemed a private citizen in the case.  
  
Ms Carroll has accused the president of raping her in a Manhattan department store dressing room in the 1990s. She went public with the accusation last year, which prompted Mr Trump to deny the attack and call Ms Carroll a politically motivated liar.  
  
His statements against the writer then prompted her to file a defamation lawsuit against the president.  
  
READ ALSO: Trump blames media as coronavirus cases skyrocket  
  
Last month, the Justice Department intervened in the case, which was filed in the state court of New York, on behalf of Mr Trump. The case was moved to federal court while the agency cited a law that would protect federal employees from litigation that related to their performance on the job.  
  
This law, the Federal Tort Claims Act, would argue the defamation lawsuit “is really against the United States” meaning “the case must be dismissed because the United States has sovereign immunity,” Judge Kaplan explained in his decision.  
  
He rejected the notion that the president’s comments about the sexual assault allegations related to his scope of office.  
  
“His comments concerned an alleged sexual assault that took place several decades before he took office, and the allegations have no relationship to the official business of the United States,” the judge wrote.  
  
(www.newnow.co.uk)