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## Court pauses appeal of Trump's classified documents case

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A federal appeals court has granted Special Counsel Jack Smith's request to pause his appeal of President-elect Donald Trump's classified documents case until Dec. 2.

Smith [asked for a delay](#) earlier this week to assess the "unprecedented circumstance" of Trump's election and impending presidential inauguration.



└ In this Aug. 1, 2023, file photo, special counsel Jack Smith speaks to the media about an indictment of former President Donald Trump, in Washington, D.C.  
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The move is part of Smith's winding down of his two cases against Trump -- the classified documents case and the federal election interference case -- due to longstanding Department of Justice policy that prohibits a sitting president from facing criminal prosecution while in office.

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"As a result of the election held on November 5, 2024, one of the defendants in this case, Donald J. Trump, is expected to be certified as President-elect on January 6, 2025, and inaugurated on January 20, 2025," the filing said.

Smith asked to hold the appeal in abeyance and push the next filing deadline until Dec. 2 "to afford the Government time to assess this unprecedented circumstance and determine the appropriate course going forward consistent with Department of Justice policy."

Trump pleaded not guilty last year to 40 criminal counts related to his handling of classified materials after leaving the White House, after prosecutors said he repeatedly refused to return hundreds of documents containing classified information and took steps to thwart the government's efforts to get the documents back.

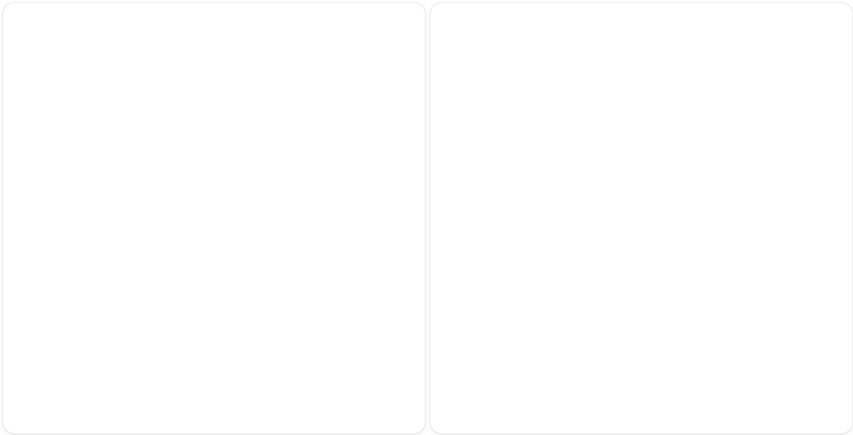
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Judge Aileen Cannon, a Trump appointee, [dismissed the case](#) against Trump and his co-defendants this summer, ruling that Smith's appointment as special counsel was unconstitutional because he was not appointed by the president or confirmed by Congress.


Prosecutors then appealed that decision to the Atlanta-based United States Court of Appeals for the Eleventh Circuit.

The judge in Trump's federal election interference case [paused all upcoming deadlines](#) last week, following a request from Smith. Trump pleaded not guilty and denied all wrongdoing in that case.

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