The circuit ruling was on an appeal of a lawsuit
Posted by alisawhite123 - 2020/12/04 13:10
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Bibas, in his opinion rendered Nov. 27, seemed to pinpoint the central flaw of the Trump campaign's overall crusade, noting that its attorneys are making multiple conclusory allegations, such as the accusation that county boards conspired to exclude Republican poll watchers from the ballot-counting process, but aren't presenting sufficient facts to back up those claims.

He also pointed out that Rudy Giuliani, Trump's personal lawyer, said during an oral argument that the campaign isn't alleging fraud.

"Charges of unfairness are serious, " Bibas said. "But calling an election unfair does not make it so. Charges require specific allegations and then proof. We have neither here. "

Bibas's opinion was cosigned by two other circuit judges: Chief Judge D. Brooks Smith, who was appointed by President George W. Bush in 2001, and Judge Michael A. Chagares, who was also nominated by Bush, in 2006.

"I think that that decision punctuates what Chief Justice Roberts (of the U. S. Supreme Court) said about there not being Bush judges or Obama judges or Trump judges, " Mariotti told Yahoo News. "The fact that you have scathing opinions from judges like Judge Bibas says more about the strength of the legal cases being brought by the Trump campaign and their allies than it does about those judges, because it's not hard to see on the face of these filings that they're deficient. ".

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