

Justice Department Argues Against Trump's Request to Appoint 'Special Master'

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The Department of Justice responded on Tuesday to Judge Aileen Cannon of the Southern District of Florida regarding former President Donald Trump's request for a "special master" to be appointed to review the documents taken from the August 8 raid of Mar-a-Lago.

The DOJ claimed designating a special master — a third-party lawyer appointed by the court to oversee part of the case — would be a threat to national security.

"The Justice Department argued in a court filing that Trump lacks the legal standing to appoint a special master. Appointing that watchdog could harm national security, the agency warned," CNBC [reported](#). "The department also said it has evidence that government records likely were concealed and removed from a storage room at Trump's home at his Mar-a-Lago club in Palm Beach, and that efforts were likely taken to obstruct the government's investigation."

"Trump had sued to block the Justice Department from further investigating any materials taken in the raid until a court-appointed special master is able to analyze them. That step is typically taken when there is a chance that some evidence should be withheld from prosecutors because of various legal privileges," the outlet added.

"As an initial matter, the former President lacks standing to seek judicial relief or oversight as to Presidential records because those records do not belong to him," the DOJ wrote to Judge Cannon.

The DOJ claimed in its court filing on Tuesday that the FBI had "uncovered multiple sources of evidence indicating ... that classified documents remained" at Mar-a-Lago.

"The government also developed evidence that government records were likely concealed and removed from the Storage Room and that efforts were likely taken to

obstruct the government's investigation," the DOJ wrote.

The Justice Department's filing came days after Judge Cannon announced her preliminary intent to appoint a special master, as requested by the attorneys for Trump, to review documents that the FBI took from Mar-a-Lago.

Cannon said the decision was made based on submissions from the former president's attorneys and "the exceptional circumstances presented," Fox News [reported](#).

A hearing is set for Thursday at 1:00 p.m. in West Palm Beach, Florida.

Trump's team was ordered to file a response by Wednesday (8/31).

"District Court Judge Aileen Cannon in the Southern District of Florida ordered Trump's lawyers to elaborate on their arguments for why the court has the ability to step in at this time, explain what exactly Trump is asking for and whether the Justice Department has been served with Trump's special master motion," CNN previously [reported](#).

"Cannon also asked Trump's team to weigh in on any effect the request might have on a separate review conducted by a magistrate judge into whether any portions of the still-sealed FBI affidavit laying out probable cause for the search can be released," the report added.

Meanwhile, U.S. Magistrate Bruce Reinhart, the judge who approved the FBI's search warrant, rejected an argument from the Department of Justice last week and admitted the FBI's raid on Mar-a-Lago was "unprecedented."

In a filing, Reinhart rejected the Justice Department's argument to keep the affidavit "sealed," citing the "intense public and historical interest."

Reinhart wrote that he rejects "the Government's argument that the present record justifies keeping the entire Affidavit under seal."

"The Government argues that even requiring it to redact portions of the Affidavit that could not reveal agent identities or investigative sources and methods imposes an undue burden on its resources and sets a precedent that could be disruptive and burdensome in future cases," Reinhart wrote. "I do not need to reach the question of whether, in some other case, these concerns could justify denying public access; they very well might."

He added: "Particularly given the intense public and historical interest in an unprecedented search of a former President's residence, the Government has not yet shown that these administrative concerns are sufficient to justify sealing."

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