

# More Fuel for the US Department of Justice (DOJ) Impeachment Trial

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*There is a strong belief astir in the country that the "Deep State faction" (within the Democrats) pursuit of power includes the destruction of organized religion, especially those pesky Catholics, the annihilation of the American family, long a pillar of American life as well as aiming its perversions on American children; the desired effect of which is the ultimate abolition of a free American society.*

With the exception of Senate [Judiciary Republicans](#) pushing back on Biden's grossly unqualified judicial nominees, little attention has focused on the essential question of whether a country can stand as a Democratic Republic if its legal and judicial foundations are so unscrupulous as to be beyond redemption.

As the Biden crime family's extensive foreign tentacles and financial affiliations continue to unravel, they remain protected by the Administration's most senior legal bureaucracy at the FBI and DOJ. However, the American public is sufficiently awakened to expect the responsible Congressional Committees to be in hot pursuit; issuing subpoenas as part of a well thought out legal and political strategy as it prepares to activate the full unrestrained authority of its Constitutional power. Until there are tangible meaningful results, the country struggles with no real leadership at the helm of government.

Meanwhile, however, DOJ **Attorney General Merrick Garland** is the [central figure](#) in ongoing investigations and malicious doings that are crushing application of the Rule of Law; as Garland persists in refuting his Constitutional requirements to Congress and the American people, he allows the DOJ to function as if it were a fourth branch of the Federal government, and therefore above the law.

Here is a unique Constitutional quirk for the history books: while at least three Congressional committees investigate Biden's alleged malfeasance and law enforcement's overreach into school boards, religion, et. al.; it is the DOJ and FBI which should be doing the investigating except both Federal agencies are already publicly identified as unreliable,

corrupt and untrustworthy.

One unresolved problem is whether US **Attorney David Weiss** was told to ‘*stand down*’ in pursuit of Hunter Biden or whether AG Garland did or did not give Weiss the authority to pursue or whether veteran IRS [whistleblowers](#) have spoken truthfully about the President of the US sitting in the room during Hunter’s negotiations with Mr. Z.

Adding more fuel to Garland’s impeachment fire, the DOJ’s contempt for its own AG mandate as defined in the Judiciary Act of 1789 to “*ensure fair and impartial administration of justice for all Americans*” became obvious with the recent House Subcommittee on Crime and Federal Government Surveillance hearing on “[Examination of Clemency at the DOJ.](#)”

Subcommittee Chair **Andy Biggs** explained that “*Under AG Merrick Garland, the DOJ has [weaponized](#) its power in unprecedented ways with new examples seemingly uncovered every week.*” In what can only be seen as further erosion of the country’s once cherished top law enforcement institution, Biggs was referring to DOJ filing an [unprecedented intention to re-litigate](#) a clemency petition granted by then President Donald Trump just prior to leaving office.

Trump commuted the twenty year sentence of Philip Esformes who had been charged with health care fraud, money laundering and bribery, although it was reportedly the DOJ’s egregious prosecutorial misconduct of an [attorney-client privilege](#) violation that was significantly abusive to deserve clemency on its own. **Former Attorney General John Ashcroft** described the [DOJ misconduct](#) as among ‘*the most abusive he had ever seen.*’

While the jury found Esformes guilty on twenty counts, they deadlocked on six counts including the health care fraud charge.

In a move that [defied historical precedence](#), that did not stop the DOJ from insisting that the sentencing Judge factor the six ‘hung’ jury counts into Esformes’ sentence; thereby expanding his sentence from five to twenty years. Mostly unknown outside Federal court circles that would shock the author of Amendment V is that a Federal Judge has ‘liberal’ guidelines to sentence beyond a jury’s verdict. Esformes served 4.5 years in prison, mostly in solitary confinement, prior to receiving clemency.

However, early in the Biden Administration and without awaiting the results of a pending Eleventh Circuit appeal, Garland’s DOJ announced the Esformes re-prosecution in a “chilling” decision that portends any defendant who may still be stuck in the Federal penal system can be re-prosecuted at any time by any future Administration, if allowed to stand.

Three expert [witnesses](#), all experienced and [well informed](#) on clemency issues, [testified](#) before the subcommittee in support of Esformes, raising grave concerns about DOJ’s political agenda as exemplified by its unreasonable dogged pursuit of Esformes. They spoke with one voice citing clemency as a historic check on the federal government’s awesome power to punish its citizens which led to [Amendment V](#)’s broad power for Presidential reprieves and pardons including a prohibition on [Double Jeopardy](#) that “*nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb..*”

In its arrogance to re-adjudicate the Esformes “hung” jury counts, the Garland DOJ has validated the concept that clemency is a necessary safeguard as a restraint against tyranny and reinforcing double jeopardy as “*a fundamental ideal in our [Constitutional heritage](#)*” and

that “neither liberty nor justice would exist if they were sacrificed [\[RP1\]](#) .”

Ironically, it was the subcommittee Republicans who showed the most empathy and willingness to address shortcomings of the DOJ’s clemency process while Democratic members of the Subcommittee were more interested in adversarial haranguing about being tough on white collar crime and Donald Trump. Ranking member Rep. Sheila Jackson Lee (D-Texas) identified clemency’s “unacceptable backlog” as the *crux of the problem*, pointing out that 17,000 inmates awaiting a clemency hearing are ‘qualified and credible candidates who meet the eligibility standards’ as the DOJ maintains a broken system blocking a humane clemency process.

In a betrayal of the US judicial system, the bottom line is that the DOJ understands it is committing Double Jeopardy as it deliberately seeks to set a precedent in the Esformes sentence for future re-litigations.

In a March 9<sup>th</sup> [letter to AG Garland](#), **Sen. Mike Lee** (Utah):

“I [am inquiring] as to how the United States Department of Justice could believe that any further prosecution of Mr. Esformes on charges for which he was already tried, sentenced and granted clemency by the President of the United States could possibly be constitutionally permitted, and in all events a proper use of United States government resources?”

To date, Senator Lee has not received a response.

Clearly, the Dems are sitting tight, as Congressional investigators continue their fact-finding behind the scenes analysis, Biden, Garland and their cronies wait; as if daring the House Committees to bring the terror of injustice to an end.

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