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Attorney General Marshall Leads 22-State Supreme Court Brief in Support of President Trump

(Montgomery) – Alabama Attorney General Steve Marshall led a 22-state brief in the case *Trump v. United States* in support of President Trump’s request that the U.S. Supreme Court stay his trial proceedings until the Supreme Court can rule on his claim of presidential immunity.

Special Counsel Jack Smith’s prosecution has been on hold since December due to President Trump’s appeal of the immunity issue. After the D.C. Circuit rejected President Trump’s immunity defense, he asked the Supreme Court to continue the pause so the Supreme Court can determine if a trial would even be constitutional before that trial occurs. Smith, who previously sought the Supreme Court’s review, opposed it on Wednesday, asserting the need to bring President Trump to trial “as promptly as possible.”

“After waiting 30 months to file these charges against President Trump, the United States wants us to believe that time is of the essence,” said Attorney General Marshall. “But Biden’s Department of Justice has given no reason for its delay in bringing these charges, or for its demand to rush this trial and short-circuit review of weighty constitutional issues. All that suggests that the Special Counsel wants to protect President Biden by convicting his challenger right before the election. If that’s true, it would be deeply improper and a clear breach of Department of Justice rules.”

The coalition’s brief argues that the Supreme Court should halt proceedings until it can review President Trump’s immunity claim: “Before a former President faces a federal criminal trial for the first time in our Nation’s history, this Court should decide whether such a trial is permitted by the Constitution.” The States emphasized that many “have connected the dots between the rush to trial and the looming November 2024 election.” “A stay and a normal appellate timeline would go a long way to mitigate the perception of impropriety.”

Back in August, the district court tentatively set President Trump’s trial for March 4, 2024. But that date did not account for President Trump’s pending appeal. The federal appellate process normally takes months or longer to resolve.

Alabama’s brief was joined by attorneys general from Alaska, Florida, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North



Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, West Virginia,
and Wyoming.