

March 19, 2024

**Steve Marshall**  
Alabama Attorney General



For **press** inquiries only, contact:  
Amanda Priest (334) 322-5694  
Cameron Mixon (334) 242-7491

Page 1 of 2

## **Attorney General Marshall Leads 18-State Brief Supporting President Trump's Immunity Case Before the Supreme Court**

(**Montgomery**) – Alabama Attorney General Steve Marshall today led an 18-state amicus brief in *Trump v. United States*, the U.S. Supreme Court case that will decide whether Presidents can be prosecuted for official actions taken while in office.

Special Counsel Jack Smith's case charges President Trump with alleged crimes related to the events of January 6, 2021. But numerous facts about the case raise concerns that the prosecution may be motivated by politics, not justice. The prosecution waited 30 months before bringing the indictment, President Biden promised to make sure President Trump does not become the next President, and Smith has since taken extraordinary steps to rush the case to trial. Attempting to try President Trump before the election, Smith urged the D.C. Circuit to decide this important constitutional immunity issue in a matter of weeks and to limit President Trump's review in that court. He initially asked the Supreme Court to take the case but more recently opposed the high court's review, citing the need to try President Trump "as promptly as possible."

"If this prosecution is designed to silence or imprison the sitting President's political opponent right before the election, it is an abuse of the justice system that the Supreme Court should take seriously," said Attorney General Marshall. "Jack Smith argues that the risk of a former President facing partisan prosecutions is minimal, yet he can't give any non-partisan reason for his extraordinary attempts to rush President Trump to trial before November. It's preposterous."

The states' brief argues that the D.C. Circuit was wrong to say the risk of partisan prosecutions is "slight." Not only does this case against President Trump appear to be politically motivated, but there are apparently partisan attacks on President Trump in courts across the country, the brief continues. The District Attorney of Fulton County, Georgia, announced her investigation into President Trump the moment she took office. The Manhattan District Attorney recruited a top lawyer in the Biden administration just to go after President Trump, while the New York Attorney General appears dead set on bankrupting the former President. The brief argues that the risks of partisan abuse are real; if President Trump "had not been President, none of this would be happening."

In March, Attorney General Marshall published an op-ed in *Newsweek* defending the Supreme Court against the partisan attack that its normal certiorari review was



politically motivated. In February, he successfully led a group of 22 states urging the Supreme Court to resist the prosecution's urgency and to review the case on a normal timeline. And in December, the Attorney General successfully led another multi-state brief opposing the Special Counsel's request that the Supreme Court skip over appeal in the D.C. Circuit to facilitate a rush to trial.

Alabama's brief was joined by attorneys general from Florida, Idaho, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Texas, Utah, and West Virginia.