

I'm Louie Gohmert. I am a servant from the first District of Texas and you often would hear me speaking on the floor if you listened. I'd tell you about bills that we had taken up that we shouldn't have, bills that didn't pass that should have, bills that didn't pass that thank God didn't pass. But, Speaker Pelosi has changed things under the guise of COVID-19—the coronavirus—so we don't have the opportunity to speak on the House floor. So we're doing a podcast. We expect to keep doing podcasts so that we can keep you apprised of what's really going on around here. Now I wanted to talk about the case that is being appealed, thankfully, it's called a writ of mandamus or application for a writ of mandamus. It's been filed by Mike Flynn's lawyer, Sydney Powell. Sydney is a superb lawyer. She knows what she's doing, but Judge Sullivan, this federal judge, he's decided he needs to be the prosecutor too. Well, it's unethical. It's inappropriate. They used to tell us at all the judicial conferences that that's exactly what you don't need to be and should not be and if you want to be the prosecutor then you ought to be removed from the case and if you're not going to recuse yourself voluntarily than somebody needs to get you removed involuntarily. So, he does not want to accept the withdrawal of the of the guilty plea by Mike Flynn. I hear so many people saying, "But Mike Flynn, he pled guilty." Yeah and as a judge that meant a lot to me: somebody comes before me pleading guilty and ask him the whole litany of questions and make sure it was voluntary. The difference is when you find out that someone has been threatened, extorted, blackmailed with the full power of the US government behind them. That they have been—inappropriate to say the least—in what they're doing, they force this guilty plea on him. And keep in mind I know a lot of people have talked about Mike Flynn. A 33-year veteran, dedicated to the country. He was willing, for 33 years, to take a bullet on behalf of his country, to lay down his life for his country. They couldn't make him plead guilty. Threatening him, threatening to destroy his life. They couldn't get him to plead guilty. He was willing to lay down his life for his country, you think he wouldn't be willing to lay it down for his son? So, they threaten his son. That is about as low as it gets. You threaten a child. That's something that radical Islamists or terrorists of all kinds around the world would do. And now we find out it's being done by our own Justice Department. You're threatening a guy's child to get him to do something he would not, could not otherwise do. So, bankruptcy didn't get him to enter a guilty plea. It was only when they extorted, they blackmailed him: "You either plead guilty or we're destroying your son, too." And he said, "look, figuratively speaking, I would lay down my life for my country and I will lay it down for my child." Well, if you haven't seen it, you can find them. But, people that were POWs, that admitted to crimes they didn't commit, well when those POWs came back, I'm not aware of any case in which a POW was prosecuted for a crime they admitted when they were under extreme duress or they were being blackmailed, extorted, forced into doing that. You don't go after the guy that was extorted, blackmailed, put under extreme duress, you go after the lowlifes that did that, that forced an actually false statement. That's where the real crime was and that's where the people ought to be pursued. Not Mike Flynn. So when all this evidence starts coming up about how they illegally, unconstitutionally set Mike Flynn up, and they knew he didn't commit a crime yet they still persecuted him and then prosecuted him. You shouldn't go after Mike Flynn, you dismiss that and you go after those low life prosecutors or, justice or FBI agents, whomever it was, and you go after them and you put them in jail. Not Mike Flynn. So now, the Attorney General, on the recommendation of all those that have been looking into this that are legitimate and not like Peter Strzok just out with a vengeance. People

that looked at it fairly and impartially said, "This guy should have never been prosecuted. He should have never been extorted. They shouldn't have threatened his son." To avoid just a terrible injustice and a mockery of the Constitution, we got to dismiss this case. And then a federal judge said, "Whoa, wait a minute why isn't this guy being prosecuted for treason?" Well, why isn't the judge being prosecuted for treason? He wants to blackmail, extort Mike Flynn to plead guilty himself? For Heaven's sake, the guy shouldn't be on the bench. He wants a guy prosecuted for treason who was extorted by justice officials? And now he's an accomplice. He wants to extort him too? He wants to jump on the bandwagon. So, what does he do? He lawyers up. Sydney Powell files an application for a writ of mandamus to the D.C. Circuit Court of Appeals and he hires a lawyer because he wants so desperately to keep this case, and go after Mike Flynn to add on to the extortion of Mike Flynn, that he lawyers up. For Heaven's sake why would you have to hire a lawyer? You've got law clerks right there giving you briefs on every question you ever want. So this judge is really serious about wanting to try Mike Flynn for treason when Mike Flynn is the victim. There's a number of us, members of Congress, that have a great attorney, Jerome Marcus. He filed an amicus curiae brief—a friend of the court brief—and one of the things he had found is a case called United States vs. Cowan. And big shocker, these so-called Watergate prosecutors, they don't mention the Cowan case in their brief. I wonder why. Well, let's figure it out. It was decided in 1975. Who were the prosecutors in that case? Oh, that was a Watergate case where the Watergate prosecutors were asking the judge to allow the dismissal of a guilty plea and a dismissal of the case and that was appealed. The judge said he wasn't sure he could accept a withdrawal of the guilty plea. So, the Watergate prosecutors took it up to the 5th Circuit Court of Appeals and said this is outrageous. This judge can't fail to accept our dismissal even though he pled guilty. He's got to accept it. And guess what the Fifth Circuit said? The judge has got no choice. The prosecutors decide what will be prosecuted and what won't. And this case is one they want to dismiss. The judge has no choice. The judge will dismiss the case, and that's what happened. So now you might understand why some might call them hypocrites, but these Watergate prosecutors didn't cite that case. Sounds like somebody could think they're actually being dishonest. Maybe they've got Trump derangement syndrome. Whatever the reason, they're either terrible lawyers it seems like, and this is my opinion, they'd have to be terrible lawyers not to have realized that they created that law in that Cowan case or they're just not very good lawyers and they don't do adequate briefing. Maybe that's it. I don't know. But, I know what the law is and I know what the Constitution says and there is a distinction between the branches and it's a distinction that is so severe, that I respect so much. I wouldn't legislate from the bench as a judge or chief justice. I had to follow laws whether I liked them or not and when things got so bad and I felt like we have got to change some federal law--the governor wanted to appoint me to another appellate bench--and I said "No, Governor Perry, I'm going to run for Congress. I can't accept another appointment. I'm going to go make the law instead of just follow it. Well, maybe it's time for Judge Sullivan to retire. And then maybe he can get hired on at some prosecutor's office because it sounds like he's just the opposite of where I was: I wanted to go legislate, so I left the bench to run for Congress. He needs to leave the bench so he can go work as an assistant DA somewhere, maybe an assistant U.S. attorney somewhere, because that's where his mind is, but he needs to get off the bench.