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Trump Loses Wisconsin Case While Arguing Another One

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President Donald Trump lost a federal lawsuit Saturday while his attorney was arguing his case before a skeptical Wisconsin Supreme Court in another lawsuit that liberal justices said “smacks of racism” and would disenfranchise hundreds of thousands of voters only in the state's most diverse counties.

U.S. District Judge Brett Ludwig, a Trump appointee, dismissed Trump's federal lawsuit asking the court to order the Republican-controlled Legislature to name Trump the winner over Democrat Joe Biden. The judge said Trump's arguments “fail as a matter of law and fact.”

The ruling came as Trump's attorney in a state case faced a barrage of questions about his claims from both liberal and conservative justices on the Wisconsin Supreme Court.

Trump is trying to overturn his loss to Biden in the state by disqualifying more than 221,000 votes in Wisconsin's two most heavily Democratic counties. Trump is not challenging any votes in counties he won.

“This lawsuit, Mr. Troupis, smacks of racism,” Justice Jill Karofsky said to Trump's attorney Jim Troupis early in his arguments. “I do not know how you can come before this court and possibly ask for a remedy that is unheard of in U.S. history. ... It is not normal.”

Justice Rebecca Dallet, like Karofsky another liberal justice, questioned why Trump didn't raise his same concerns about the absentee ballot process in the 2016 election that he won in Wisconsin. Troupis said Trump was not an aggrieved party that year.

Conservative Justice Rebecca Bradley questioned how the court could reject more than 28,000 ballots of people who said they were indefinitely confined given that it would include people who properly claimed that status.

Wisconsin's highest court agreed to take the case at Trump's urgent request Friday, soon after a state judge ruled against him and with Monday's Electoral College vote bearing down and the state's 10 electoral votes about to go to Biden.

The court is controlled 4-3 by conservatives, but its willingness to take the case isn't necessarily an indicator of how it will rule. The court previously refused to hear the case before it went through lower courts, and a majority of justices have openly questioned whether the remedy Trump seeks is appropriate.

Trump sought to have more than 221,000 ballots disqualified in Dane and Milwaukee counties. He wanted to disqualify absentee ballots cast early and in-person, saying there wasn't a proper written request made for the ballots; absentee ballots cast by people who claimed “indefinitely confined” status; absentee ballots collected by poll workers at Madison parks; and absentee ballots where clerks filled in missing information on ballot envelopes.

The circuit judge on Friday ruled that none of Trump's arguments had merit and that state law was followed during the election and subsequent recount.

Biden won Wisconsin by about 20,600 votes, a margin of 0.6% that withstood a Trump-requested recount in Milwaukee and Dane counties.

Trump and his allies have suffered dozens of defeats in Wisconsin and across the country in lawsuits that rely on unsubstantiated claims of widespread fraud and election abuse. On Friday evening, the U.S. Supreme Court rejected a Texas lawsuit that sought to invalidate Biden's win by throwing out millions of votes in four battleground states, including Wisconsin.

Also Saturday, former Trump campaign attorney Sidney Powell asked the U.S. Supreme Court to hear a federal case she lost in Wisconsin seeking to order the GOP-controlled Legislature to declare Trump the winner. Powell has also lost similar cases in Georgia and Arizona.

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