



Written by [Rebecca Terrell](#) on February 14, 2024

Could Fani Willis Scandal Derail Trump's GA Election Lawsuit?

Was Fulton County, Georgia, District Attorney Fani Willis caught laundering money while profiting off an illicit love affair?

That is the question Fulton County, Georgia, Superior Court Judge Scott McAfee will address in an evidentiary hearing Thursday.

Willis serves as the county's district attorney and has been leading the investigation into Trump and 18 co-defendants accused last August by a grand jury of plotting to reverse 2020 election results in Georgia.

One of the co-defendants, Mike Roman, recently filed a 66-page motion detailing Willis' admitted affair with Marietta, Georgia, attorney [Nathan Wade](#), whom she appointed special prosecutor in the case. This is Wade's first foray into a high-profile felony trial; until his appointment he specialized in personal injury, family law, and contract and civil disputes.

Roman's attorney, Ashleigh Merchant, who is the president of the [Georgia Association of Criminal Defense Lawyers](#), told the judge on Monday that Willis should be disqualified from the case because "the district attorney chose to appoint her romantic partner, who at all times relevant to this prosecution has been a married man."

She contends that Wade has been paid nearly \$654,000 by Willis' office for his work on the Trump case, and that some of that money was spent on lavish vacations with Willis to "Napa Valley, California, Florida and the Caribbean."

Willis has admitted to the affair but denied a conflict of interest.

However, McAfee wants to put the allegations under a microscope. Here's how he responded at Monday's hearing:

Specifically looking at defendant Roman's motion that alleges a personal relationship that resulted in a financial benefit to the district attorney. And that is no longer a matter of speculation. The state has admitted a relationship existed. And so, what remains to be proven is the existence and extent of any financial benefit, again, if there even was one. Because I think it's possible, if the facts alleged by the defendant could result in disqualification, I think an evidentiary hearing must occur to establish the record on those



AP Images
Fani Willis



core allegations.

McAfee went on to say, “It’s clear disqualification could occur.”

What would that mean for Trump? Merchant believes that deposing Willis will end the case against her client. By association, that would mean for Trump, his former attorney Rudy Giuliani, and the other co-defendants.

However, former federal prosecutor Andy McCarthy is not as certain. He told Fox News’ Ainsley Earhardt, “It depends.”

It depends on whether you make the leap from, “There needs to be a disqualification,” to that the disqualification may somehow have corrupted the fundamental, or instigation of the investigation in the case. If they can get to that point, they have a chance to get the indictment dismissed. That’s a heavy lift, so probably the case goes to subordinate prosecutors in the office. It’s important to remember, [Willis is] already disqualified from prosecuting one person in the case because of ethical violations during the investigation. So this isn’t her first rodeo.

Asked about the ticking clock on this year’s November election, McCarthy responded:

It’s hard to make any assessment of that because there’s no trial date here. There’s other litigation going on where you have one defendant, I think it’s Mark Meadows, who’s still trying to get the case moved into federal court. They still haven’t had the major motions in the case. Four people have pled guilty to very minor charges, and I think that underscores what a lot of us have been saying from the beginning, which is that this case should have been brought, if at all, as a series of small cases. And [Willis] tried to wrap it into this big RICO. And now the allegation is, did she do that in order to churn the enterprise of bringing this case so that it would generate more money since she, this is the allegation, was indirectly the recipient of the money through the people she hired.

As McCarthy said, this is not the first time Fani Willis has been accused of “problematic” activity. Here is another case before a Georgia judge:



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