



Written by [R. Cort Kirkwood](#) on March 23, 2023

## Is NY DA's Case Against Trump About to Collapse? Grand Jury Doesn't Meet Second Day

An American judge [famously said](#) a grand jury would "indict a ham sandwich, if that's what you wanted," but it appears that the grand jury in Manhattan won't indict former POTUS 45 Donald J. Trump.

[For the second day](#), the grand jury [did not meet](#), apparently because hate-Trump Manhattan District Attorney Alvin Bragg believes it might not indict Trump in connection with hush money paid to Stephanie Clifford, aka Stormy Daniels, blonde bombshell of the blue movie trade.

One possible reason: A letter from the attorney for Michael Cohen, Trump's former attorney who fingered the president for the payments. Cohen [pleaded guilty](#) to violating federal campaign-finance law, but the former attorney said Trump had nothing to do with the payment.



AP Images

### The Letter

The letter concerns the infamous \$130,000 Trump supposedly paid Daniels to shut her yap about an affair the two allegedly had. [Daniels recanted](#) the claim, and Cohen went to prison for trespassing federal campaign law in making that payment. That was August, 2018.

The following February, [Cohen told](#) a congressional committee that Trump wrote checks "to reimburse me for the hush money payments I made to cover up his affair with an adult film star and prevent damage to his campaign."

Cohen, news reports say, [repeated that claim](#) to the grand jury in Manhattan.

Unhappily for leftist Bragg, in February 2018, Stephen Ryan, Cohen's attorney at the time, told the Federal Election Commission that Trump had nothing to do with the \$130,000 payments, and did not reimburse Cohen for it.

"In a private transaction in 2016, before the US presidential election, Mr. Cohen used his own personal funds to facilitate a payment of \$130,000 to Ms. Stephanie Clifford," Ryan wrote in a letter obtained by the *Daily Mail*:

Neither the Trump Organization nor the Trump campaign was a party to the transaction with Ms. Clifford, and neither reimbursed Mr. Cohen for the payment directly or indirectly.

Contrary to the allegations in the complaint, which are entirely speculative, neither Mr.



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Cohen nor Essential Consultants LLC [his company] made any in-kind contributions to Donald J. Trump for President, Inc., or any other presidential campaign committee. Mr. Cohen has not been a government employee during any of the relevant time period. The payment in question does not constitute a campaign contribution or expenditure, and, therefore, the FEC lacks jurisdiction over this matter. The complainants have not and cannot present any evidence to the contrary. Accordingly, the complaint should be dismissed.

### **Trump Witness: Cohen's a Liar**

Former Trump attorney Robert Costello appeared before the grand jury to say Cohen is lying, and that he's seeking revenge because he was disbarred and sentenced to federal prison.

"He's totally unreliable," Costello said after his testimony two days ago, [NBC New York reported](#). "You think a guy whose mindset right at that moment is, 'I'll lie, cheat, steal, shoot somebody — whatever it takes, I'm not going to jail.' Well, he went to jail. And now he's on the revenge tour."

"Costello told reporters that he had come forward to provide exculpatory information about Trump and to make clear that he did not believe Cohen, who pleaded guilty to federal crimes and served time in prison, could be trusted," the network reported:

A source familiar with what Costello had prepared to tell the grand jury said the testimony includes calling Cohen a liar and a convicted perjurer, as well as a notorious embellisher of stories. According to the source, Costello planned to say Cohen wanted to show he could take care of the Stormy Daniels situation and believed he would be rewarded down the line for doing so. Costello also was set to tell the grand jury that Cohen told him he was furious with Trump at a meeting in February 2019, and that he blames Trump for his personal and legal difficulties and wants him to pay.

"I've listened to Michael Cohen stand in front of the courthouse and say things that are directly contrary to what he said to us. My obligation is to bring the truth to both the district attorney and to Trump's lawyers. That's exactly what I did," Costello added.

### **Turley: It's Political Prosecution**

And Costello might not be Bragg's only problem. Another is the law itself. Legal celebrity and liberal law professor Jonathan Turley explained that the district attorney wants to resurrect cases already declared dead.

Indeed, Bragg himself refused to prosecute the case at first, which caused two lawyers to quit jobs in his office. Then he caved to hate-Trump leftists and moved head, Turley observed, calling the case a "Frankenstein indictment."

"The Justice Department itself declined this prosecution and both the former chair of the Federal Election Commission and various election law experts have thrown shade on the theory," [Turley explained](#):

Not only did Bragg's predecessor, Cyrus Vance, not bring this case, but Bragg himself



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stopped the prosecution.

It was after one of Bragg's lead prosecutors resigned and wrote a book on prosecuting Trump that pressure became too much for the district attorney, who grabbed his shovel and went to work.

There are serious challenges to this prosecution, including an argument that time has expired under the statute of limitations....

This is a patently political prosecution.

After Bragg canceled the grand jury's meeting on Wednesday, the [New York Post reported](#) that lawyers inside his office think prosecuting Trump is pointless. In other words, Orange Man Bad is no ham sandwich.

"They don't understand how this case is going forward," an insider told the *Post*. "These ADAs are not fans of Trump but they are professional lawyers and know the law."



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