



Judge Denies Schara Motion for New Medical Freedom Trial

A judge has denied a motion for a new trial in the case of Grace Schara, a Wisconsin teen who died in a Covid hospital in 2021.

Her father, Scott Schara, lost that case in June and filed the new [motion](#) in October. In the latter, he requested “reconsideration and a new trial based upon newly discovered evidence of the Court’s personal bias.” He said the judge, Mark J. McGinnis, allowed defense attorneys to attack him on the basis of both his religious and medical freedom views.

Schara believes that McGinnis acted this way in retaliation against him because, days before the original trial, Schara granted an interview to a local newspaper. “Almost immediately thereafter, the Court summarily denied all of Plaintiff’s *motions in limine* without allowing argument.” Those motions would have restricted the defense from addressing Schara’s personal beliefs and political opinions.

Schara also claimed that the judge’s bias could be seen in other ways. One was the fact that McGinnis dismissed a declaratory judgment claim in the original trial. (It asked the judge to rule that the Do Not Resuscitate (DNR) order placed on his daughter’s medical chart shortly before she died without his knowledge was unlawful and in violation of state law.) Another instance he cited was when McGinnis suddenly dismissed one of Schara’s battery claims against a healthcare worker; the judge threw out that claim just before the jury went into final deliberations.

The December 19 hearing lasted only 33 minutes. McGinnis, the judge charged in the motion, presided. He read his decision in which he repeatedly called Schara “disingenuous.” About the motion, he said there was “lack of any merit in the argument” and that Schara did not provide proof from court transcripts of court bias against his religious beliefs.

McGinnis excoriated Schara’s defense team for allowing a media interview days prior to the trial, but said his concern was strictly based on the fact that pretrial publicity can taint the jury pool. He denied Schara’s charge that the denial of his *motions in limine* had anything to do with the interview.

The judge then read from an email he received earlier this year following the original trial. It was from Schara’s lead attorney in that case. “I have deep admiration for your demeanor and evidentiary rulings,” wrote Warner Mendenhall of Mendenhall Law Group in Akron, Ohio. “I can honestly say that you are perhaps the finest jurist I have encountered in 38 years of legal practice.” McGinnis cited this



DNY59/iStock/Getty Images Plus



Written by [Rebecca Terrell](#) on December 19, 2025

as proof that Schara’s attorney did not recognize any bias on the part of the court.

“I was very sympathetic and tried to treat you and your family with respect,” McGinnis said, addressing Schara. “I offered you opportunity to present your case, despite what the media wants to do or say.” He also told Schara that his “desire for someone to blame is a natural human reaction and entirely understandable.” But he reminded the grieving father that a jury of peers had heard all the evidence and “decided against you quickly, clearly and without any concern or objection.”

McGinnis quickly ended the hearing with, “Motion for reconsideration denied. Motion for new trial denied. We’re adjourned.”

The New American has reached out to [Scott Schara](#) for comment.



Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



[Subscribe](#)

What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.