



Written by [Bob Adelman](#) on May 8, 2020

Justice Department Moves to Dismiss Case Against General Flynn

The Justice Department moved on Thursday [to dismiss its case](#) against former Trump administration official General Michael Flynn, claiming that based on new evidence, the government no longer had a case against him.

U.S. District Judge Emmet Sullivan will have to sign off on the government's request in order to end the matter completely.

In its filing, U.S. Attorney Timothy Shea made the case for dismissal:



The United States of America hereby moves to dismiss with prejudice the criminal information filed against Michael T. Flynn pursuant to Federal Rule of Criminal Procedure 48(a).

The Government has determined, pursuant to the Principles of Federal Prosecution and based on an extensive review and careful consideration of the circumstances, that continued prosecution of this case would not serve the interests of justice....

After a considered review of all the facts and circumstances of this case, including newly discovered and disclosed information appended to the defendant's supplemental pleadings ... the Government has concluded that the interview of Mr. Flynn was untethered to, and unjustified by, the FBI's counterintelligence investigation into Mr. Flynn — a no longer justifiably predicated investigation that the FBI had, in the Bureau's own words, prepared to close because it had yielded an "absence of any derogatory information...."

The Government is not persuaded that the January 24, 2017 interview was conducted with a legitimate investigative basis and therefore does not believe Mr. Flynn's statements were material even if untrue.

Moreover, we do not believe that the Government can prove either the relevant false statements or their materiality beyond a reasonable doubt....

In the Government's assessment — mindful of the high burden to prove every element of an offense beyond a reasonable doubt, and that "government prosecutors have a duty to do justice" ... continued prosecution of the charged crime does not serve a substantial federal interest.

The Government respectfully moves to dismiss the criminal information with prejudice against Mr. Flynn.

Shea said the new evidence provided "frail and shifting justifications for [the FBI's] ongoing probe of Mr. Flynn, as well as the irregular procedure that preceded his interview [which] suggests that the FBI was eager to interview Mr. Flynn irrespective of any underlying investigation."

This is how an attorney says that the FBI was "out to get" Flynn by whatever means lay at hand, including lying, coercion, threats of jail time, and insinuating threats to his son along the way.



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Flynn's attorney, Sidney Powell, was delighted: "This is a restoration of the rule of law." The president himself declared, "He was an innocent man. He is a great gentleman. He was targeted by the Obama administration and he was targeted in order to try to take down a president."

But was he? The question remains, why Flynn? Was the effort to tarnish and possibly incarcerate Flynn just to embarrass the president? Or was, as *The New American* has suggested, Flynn less of a "target" than he was an "obstacle?"

Flynn spent more than two years serving as the director of the U.S. Defense Intelligence Agency (DIA) in the Obama administration, a position that advised directly the secretary of defense and the chairman of the Joint Chiefs of Staff. He was fired, it was said, because he didn't get along with people, that he had a harsh and commanding leadership style, etc., etc.

But according to Colin Powell, an insider who served both the George W. Bush and Bill Clinton administrations at the highest levels, Flynn was fired because he "worked against policy."

When Flynn reported that Islamists were the main force in the Syrian insurgency, his reports "got enormous pushback from the Obama administration" who he felt "did not want to hear the truth." According to former DIA official Patrick Lang, "Flynn incurred the wrath of the White House by insisting on telling the truth about Syria ... and they shoved him out. He wouldn't shut up."

In other words, Flynn is a Boy Scout and thereby represented an existential threat to the insiders infesting the highest levels of the FBI, and he had to be removed.

Judicial Watch's Tom Fitton celebrated the move to dismiss the case against Flynn, but with a warning:

Judicial Watch welcomes the Justice Department's decision to exonerate General Flynn, an American hero who was victimized by the Obama administration and the Deep State. The targeting of General Flynn was a key part of the Obama/Clinton/Deep State coup against President Trump.

Judicial Watch commends the heroic work of General Flynn's legal team, led by Sidney Powell, that exposed the criminal conduct by FBI and DOJ officials behind Flynn's illicit prosecution.

However, this is just a good start, and not the end of the matter: "This corruption, as Judicial Watch has exposed from the get-go, is the tip of the iceberg. The required next step for justice is the prosecution of the coup cabal who tried to destroy General Flynn and overthrow our president."

Perhaps the president will, as he suggested last week, reinstate Flynn to complete the work that he had barely started before the Deep State descended on him.

Photo: AP Images

An Ivy League graduate and former investment advisor, Bob is a regular contributor to The New American, writing primarily on economics and politics. He can be reached at badelman@thenewamerican.com.

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