



Written by [Bob Adelman](#) on August 22, 2022

Trump to Sue DOJ Over FBI Raid on Mar-a-Lago

Former President Donald Trump [teased his followers on Truth Social on Friday](#) that he would very shortly be filing suit against the Department of Justice over the FBI's raid on his Palm Beach, Florida, home two weeks ago.

Wrote Trump:

A major motion pertaining to the Fourth Amendment will soon be filed concerning the illegal Break-In of my home, Mar-a-Lago, right before the ever-important Mid-Term Elections.

My rights, together with the rights of all Americans, have been violated at a level rarely seen before in our Country.

Remember, they even spied on my campaign. The greatest Witch Hunt in USA history has been going on for six years, with no consequences to the scammers. It should not be allowed to continue!



AP Images

To review: The raid — characterized by the FBI as merely the serving of a legitimate search warrant on a private citizen — took place on Monday, August 8; involved more than 20 FBI agents dressed in riot gear; and took more than 10 hours to complete.

The search included prying into Melania's closet and underwear drawer, and resulted in the FBI carrying away at least eleven boxes (variously marked as secret or top secret, with some marked as protected by client-attorney privilege, along with Trump's passports).

The affidavit supporting the warrant is due to be released, although heavily redacted (blacked out), later this week.

James Trusty, a former federal prosecutor and now one of Trump's lawyers advising the former president, was interviewed on Mark Levin's radio show on Friday. He [elaborated on the pending lawsuit](#), outlining the tack it will take in challenging the entire operation:

We are not going to leave it to the DOJ [Department of Justice] to tell us that they are doing their filter search, and they are the guardians of what's privileged or not.

We are going to have [the] court [get] involved, judicial intervention, at the district court level ... that can help us vindicate the Fourth Amendment rights of the [former] president.



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The Fourth Amendment to the U.S. Constitution reads:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Trusty says the warrant, issued by a magistrate judge with a far-left history, contains what is needed to invalidate it. “The Fourth Amendment requires particularity. It requires narrowness to the intrusion on the person’s home.”

However, [he added](#):

This warrant had language in it. And keep in mind, all we’ve seen is a warrant and an inventory. But the warrant has language in it about if you find a classified document, you can take the whole box ... and you can take any boxes near it.

And that’s really the functional equivalent of a general search. There’s just no limit to that kind of scope in the warrant.

Attachment B of the warrant states that “any government and/or Presidential Records created between Jan. 20, 2017, and Jan. 20, 2021” shall be subjected to seizure if the agent deems it relevant as “evidence, contraband, or fruits of crime.”

In other words, a single FBI agent is left on his own to determine just what records, files, and other property are to be included, gathered up, and seized — without limit.

One of many anomalies is that the FBI already knew what Trump was storing at Mar-a-Lago, having been allowed previously to inspect the security measures being used while Trump was negotiating with the National Archives about how to ship the items to that agency securely.

This made the raid political, according to Jeffrey Clark, a former U.S. assistant attorney general in the Trump administration:

Since [federal] officers had been to Mar-a-Lago to inspect the documents there, they already knew there were [presidential] documents there, and have for [months].

The political nature of [the] raid [is] clear because they waited to search for what they knew was ALREADY THERE until just before the Midterms.

Jenna Ellis, a former lawyer for Trump, agreed that the pending lawsuit is necessary “to assert his constitutionally protected rights” and demand that the DOJ “show cause for their unreasonable, irregular, and politically motivated raid.”

The lawsuit is likely also to emphasize another protection provided by the Fourth Amendment: that against “unreasonable searches and seizures.” It will ask the court whether the entire raid — involving armed FBI agents invading a former president’s private residence when they could have obtained through a subpoena (as they did earlier in June) the items needed — was excessive, unnecessary, and unreasonable.



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By taking everything in sight it's easy to conclude the political nature of the raid. Trump has had possession of the documents for over 15 months, and so why all of a sudden does the FBI show up early on a Friday, refuse to let Trump's attorney see the warrant until after the raid, and then not allow her to make a copy of it, all just before the midterm elections?

Once the lawsuit is filed, *The New American* will keep its readers informed — especially since, if this sort of raid is allowed to be perpetrated on a former president, they too would then be unprotected by the Fourth Amendment.

For, as Trump wrote on his Twitter account just after being impeached, "In reality they're not after me, they're after you. I'm just in the way."



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