Twitter Thread by Patrick Marley



Patrick Marley
@patrickdmarley

At the outset of a trial in one of Trump's lawsuits, Reserve Judge Stephen Simanek says he will not allow anyone to intervene or file friend-of-the-court briefs.

Here are the details on today's case: https://t.co/kOBAj0rttd

Meanwhile, Trump's allies in the state Legislature will hold a hearing today over how the election was conducted. Some background on that hearing is here:
https://t.co/6uBCvEYWAc

The judge today says he wants the hearing to be efficient and he plans to rule soon. He notes the Electoral College meets on Monday.

Arguments begin with Trump attorney Jim Troupis saying the doctrine of laches does not apply.

Readers are always clamoring for more coverage of arguments about laches.

A laches argument boils down to contending someone (in this case, Trump) waited too long to bring a lawsuit.

State officials say Trump should have brought his suit long ago because the election policies in question have long been in place.

Troupis says that's not right.

Trump attorney Jim Troupis notes Wisconsin state law explicitly says that voting absentee is a privilege, not a right.

Earlier, Biden attorney John Devaney argued it would be unconstitutional to throw out ballots in Dem-leaning counties while letting ballots cast the same way in other counties stand.

Troupis says Biden could have asked for recounts in the GOP-leaning counties but didn't.

Judge Stephen Simanek:

"The court should do everything to ensure that the will of the voters prevails."

Simanek says the election was hotly contested but Biden won.

.... and goes on to note that Trump asked for a partial recount -- in the Dane and Milwaukee counties but not elsewhere.

Biden got dozens more votes in those recounts.

Trump appealed the results of the recounts to Simanek. He says the case is properly before him.

Simanek notes voting at the polls is a guaranteed right but voting absentee is a privilege.

Simanek says he has to review only the recount in the two counties (the two most liberal counties in the state). More than 200,000 ballots have been challenged.

"Really the job of this court is quite limited," Simanek says.

Simanek says the recount was open and transparent.

"There is no dispute in that regard," he says.

What's more, the facts are not disputed, he says.

"The real dispute here is whether or not there were erroneous interpretations of law used in the recount," Simanek says.

Simanek rules against Trump -- says the state's certification of the vote for Biden was correct.

Trump has not shown an erroneous interpretation of Wisconsin's election laws were applied, Simanek says.

He says there's no evidence of misconduct or widespread fraud.

Simanek notes Wisconsin is the only state that missed the safe-harbor law.

He says Trump can appeal.

This is the fifth ruling against Trump and his allies in Wisconsin in a little over a week.

The judge notes the ability to fill in witness addresses has been in place since 2016 -- an election Trump won.

"It's long standing. I believe it's not prohibited by law," Simanek says.

In addition, early in-person voting was conducted properly in Dane and Milwaukee counties, Simanek says.

Clerks are allowed to use one form, instead of two, for that practice, as Trump claims.

This week state Rep. @Ron_Tusler said he would no longer vote early in person because he now believes the practice is illegal. Now there is a court finding that the practice is proper.

And Simanek says the state's indefinite confinement law was properly followed in Dane and Milwaukee counties.

People who say they are indefinitely confined becuase of age or disability can vote absentee without showing an ID.

Trump also wanted to throw out ballots submitted at "Democracy in the Park" events in Madison, where voters turned over absentee ballots to poll workers in parks.

Simanek finds the events were proper and likens the practice to using drop boxes.

Simanek says he will issue his written order yet this morning.

Story coming soon.

Trump loses another lawsuit over Wisconsin's election

https://t.co/kzhtPznRhn