

“ITS REALLY DIFFICULT TO DETERMINE WHATS REAL AND WHAT’S FAKE;” AT LEAST THREE OATH KEEPERS BELIEVED TRUMP INVOKED THE INSURRECTION ACT ON JANUARY 10

In a government filing responding to a request from Joshua James to have his bail conditions relaxed, the government provided a number of new details about the investigation (as well as noting that, since James’ wife has made almost \$200,000 in a fundraiser tied to his arrest, his claim to need to work to provide for his family is unpersuasive).

The filing reveals (possibly based off reconstructed James texts), that on January 10, at least three Oath Keepers had come to believe that Trump had invoked the Insurrection Act, but was being prevented from releasing it.

Kelly Meggs knew about it – but said his guys from Florida were “stay[ing] home until shots fired.”

Kelly Meggs: Insurrection act appears to be signed and we shall se [sic] what tomorrow brings.

James: Yes..

Kelly Meggs: Stay safe

James: You too! Are you coming to TX?

Kelly Meggs: Nope Fl stays home until shots fired !

In addition, James spoke about it with Brian Ulrich.

Ulrich: We heard [Person One] might be disseminating information to all of us is that true?

James: Hes gone comms dark. Im with him.

Ulrich: Oh? Lol well there was talk that he was announcing. Can you guys at least tell me or us is trump going to do something is up with this is all about is he actually doing something?...

Ulrich: Been hearing since this AM that trump signed EO and he was going to have a speech but nothing confirmed.

James: That's correct. The Insurrection act has been signed but not published to the public. They are keeping him locked away.. theres so much bad information coming from all angles its really difficult to determine whats real and what's fake.

Ulrich: But is it coming that's all I want to know...

James: Everyone needs to stay calm, and let's see what POTUS does.. Yes Its already happening.

Ulrich: Ok. [Person One] ok? You guys needs to stay below the radar.

Since James was with Stewart Rhodes (and armed) when he wrote this, it seems likely Rhodes believed this as well.

If nothing else, the fact that at least three people independently came to believe that Trump had invoked the Insurrection Act will give DOJ probable cause to obtain the communications that might reveal why – and via what channels – they believed that to be true.

Update: The January 6 Select Committee just released their document requests. They ask for

any discussions about the Insurrection Act from a variety of departments, including DOJ and DOD.

From November 3, 2020, to January 20, 2021, all documents and communications relating to the possibility of invoking the Insurrection Act, including but not limited to documents and communications concerning that possibility with respect to preparation for the events of January 6, 2021, or responding to the January 6, 2021, attack.