

“A COAT RACK WITH SUIT JACKETS, AS WELL AS INTERIOR DÉCOR ITEMS SUCH AS WALL ART AND FRAMES”

As expected, MJ Bruce Reinhart has released a less redacted version of the Trump search warrant affidavit.

The newly unsealed information pertains to the two grand jury subpoenas – the May 11 and the June 24 one. The description of the second one confirms what I’ve been noting: that the video surveillance subpoena was dated June 24, not June 22 as Trump’s people have been saying.

It requested video going back to January 10. Trump’s camp had said they only turned over two months of video (which may be true – they may simply not archive more than two months of video). But DOJ attempted to get video from before Trump packed up the first set of boxes returned to NARA, suggesting they’ve known all along how he was sorting this.

Trump provided DOJ with the video on July 6, just about the date I guessed they would have gotten it. That means DOJ only took a month to write the affidavit to search Trump’s home.

There’s a slightly different description of the classifications of the documents that Evan Corcoran turned over. It reveals that at least one of those documents was marked FISA, as was true of the first batch.

The newly unsealed passages also reveal that along with all his stolen documents, Trump had, “a coat rack with suit jackets, as well as interior decor items such as wall art and frames.”

Finally, it appears that Jay Bratt or the FBI specifically asked Corcoran if he knew of

documents stored “in any private office space.”
He said no.

Update: Here’s the government reply on their motion for a stay. My favorite sentence is where DOJ has to point out to Judge Cannon that *she* can’t invoke Executive Privilege for Trump, nor can a Special Master.

In any event, it is Plaintiff—not the Court and not a special master—who would need to make an assertion of executive privilege and supply reasons supporting that assertion. He has provided none.

And then they spend a whole paragraph describing how, if Trump is really trying to assert ownership over classified documents via a claim he both declassified and designated them privileged, then he can’t withhold via an Executive Privilege claim from an investigation into 18 USC 793.

Plaintiff’s suggestion that he “may have categorized certain of the seized materials as personal [records] during his presidency” pursuant to the PRA, D.E. 84 at 15, if true, would only supply another reason that he cannot assert executive privilege with regard to those records. If Plaintiff truly means to suggest that, while President, he chose to categorize records with markings such as “SECRET” and “TOP SECRET” as his personal records for purposes of the PRA, then he cannot assert that the very same records are protected by executive privilege—i.e., that they are “Presidential communications” made in furtherance of the “performance of his official duties.” *Nixon v. GSA*, 433 U.S. at 447, 456; see 44 U.S.C. § 2201(3) (defining “personal records” as records “of a purely private or nonpublic character which do not relate to or have an effect upon the carrying out of the

constitutional, statutory, or other official or ceremonial duties of the President"). In any event, whether Plaintiff declared documents with classification markings to be his "personal" records for purposes of the PRA has no bearing on the government's compelling need to review them, both for national security purposes and as part of its investigation into the potentially unlawful retention of national defense information.