

GEORGE SANTOS' OTHER SHOE

Back on September 12, I noted that EDNY seemed to have a plan in place such that George Santos might be considering a plea even as the drama in the GOP House caucus played out.

Which is to say that Big Kev may lose the deciding vote that made him Speaker even before discussions of impeachment and shutdowns are resolved.

Santos' vote was not enough to save Kevin McCarthy on October 3 (though McCarthy seems unconvinced he's done, so Santos might yet have another chance to provide McCarthy a deciding vote). And he was in the fractious House meeting when EDNY rolled out a superseding indictment. Santos will vote for *someone* today, but it's unclear that'll result in the election of a Speaker.

The superseding indictment should have come as no surprise. It adds two schemes to the charges in his original indictment. One was mapped out in the criminal information to which Santos' campaign treasurer Nancy Marks pled guilty last week: in order to qualify for the NRCC program, he and Marks allegedly falsely claimed family members had supported his campaign. For that scheme, EDNY indicted Santos with:

- Conspiracy to defraud the US (the single charge to which Marks pled guilty) [count one]
- Two counts of wire fraud for each false FEC report [counts two and three]
- False statements and falsification charges for the 2021 FEC report claiming

the donations [counts four and five]

- Identity theft tied to misuse of the identities of 11 donors [count six]
- False statements and falsification charges for the 2022 FEC report claiming Santos had given himself a \$500,000 loan [count seven and eight]

In addition, Santos is charged with access device fraud and identity theft [counts nine and ten] falsely using someone else's credit card to make donations to himself. Specifically, Santos is accused of making a \$12,000 payment on August 1, 2021 to a company associated with Santos, most of which Santos then pocketed.

All those charges were larded onto the other counts originally charged in May.

Even with the ten new counts, Santos may not be done.

The credit card fraud counts – two right now – remain fairly amorphous. While Santos is alleged to have attempted to make numerous credit card payments, only that one on August 1, 2021 is enumerated.

And there's nothing in the indictment specifically tied to Sam Miele, Santos' finance guy who was indicted on August 15 for impersonating a key McCarthy staffer. Miele's case was continued in September to last Friday; time was excluded last week until today (extending past yesterday's grand jury meeting); and yesterday EDNY asked for another month-long continuance, to November 14. Miele hasn't, apparently, availed himself of the kind of no cooperation plea deal that Nancy Marks entered into last week. But EDNY seems to think he might, on short order.

As it is, Republicans are likely to face a two week window between the time former Rhode Island Congressperson David Cicilline is replaced on November 7, probably by Democrat Gabe Amo, and the time former Utah Congressperson Christ Stewart is replaced on November 21, probably by Republican Celeste Maloy, in which their margin will shrink by one. But EDNY is increasing the heat on George Santos.

And it seems like there's likely still another shoe yet to drop there.

Update: Roger Sollenberger reported *before* the superceding indictment came out yesterday that ultimately there was \$500,000 that ultimately back-filled the bullshit financial loan Santos made to his campaign. But it's not clear, yet, whence it came.