

HUNTER BIDEN'S REPLIES TO HIS MOTION TO DISMISS

I was laughing that David Weiss' prosecutors would get sloppy with Roger Stone references in a case I was covering closely. It got me two citations in Hunter's reply on selective prosecution.

8 Stone, No. 21-cv-60825, DE 1 ¶¶ 40-53 (accusing Stone of seeking to shelter his wealth from criminal forfeiture); Bill Barr Repeatedly Lied, Under Oath, About Judge Amy Berman Jackson, <https://www.emptywheel.net/>; United States v. Stone, Case 1:19-cr- 00018-ABJ DE 260 (Verdict Form). It is particularly ironic that DOJ would try to use Biden's gun charge under a statute expressly reserved to protect public safety—to justify criminal tax charges when only Stone was charged with endangering anyone.

9 DOJ acts like, rather than honestly describe his struggles, Biden published his memoir to brag about his crimes, which is particularly absurd considering the memoir mentions neither the gun he is accused of purchasing nor his failure to pay his taxes.

10 See Marcy Wheeler, David Weiss is Smoking Roger Stone's Witness-Tampering Gun, Emptywheel (Mar. 11, 2024), <https://www.emptywheel.net/2024/03/11/david-weiss-is-smoking-roger-stones-witness-tampering-gun/>. This included an introduction repeating the false claims at the core of his 2019 convictions for threats and intimidation, and Stone even litigated whether his memoir was covered by the gag order the judge issued in response to his threats. See Stone, No.

As I'll lay out later, it's now crystal clear that David Weiss reneged on the plea deal in order to chase Alexander Smirnov's lies.

Here are the reply motions:

- Reply immunity from diversion
- Reply SCO
- Reply selective prosecution
 - Lowell declaration
 - Timeline
 - Unredacted letter
- Reply IRS misconduct
- Reply SOL
 - Table of willfulness
- Reply duplicitous
- Reply 2019 selective
- Reply venue
 - Judicial notice