

MID-TERM ELECTION 2022: AUGUST 2 PRIMARY, ARIZONA EDITION [UPDATE-2]

Post dedicated to Arizona's primary election results. What's going on in the Grand Canyon State?

THE MASTERS OF FASTER TALK OF TRASH

It is Trash talk time! For the doldrums of summer, there are a lot of sports to talk about and space needed for all things "not" January 6 related.

THE SUSSMAN TRIAL

Here is the Sussmann indictment as filed by Durham. It is an absurd 27 pages long. I could have written it in 2-3 pages, including signature page.

As you can see, excepting all the run on horse manure Durham penned, the indictment is for a single count of false statement under 18 USC §1001. That is it. One lousy count. That is it.

I will save you the niceties and simply quote you the DOJ guidance on §1001, and here it is:

Section 1001's statutory terms are violated if someone:

"falsifies, conceals or covers up by any

trick, scheme or device a material fact,"
"makes any false, fictitious or fraudulent statements or representations,"
"makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry"
and, for cases arising after the 1996 amendments, the item at issue was material.
Whether the above acts are criminal depends on whether there is an affirmative response to each of the following questions:

Was the act or statement material?
Was the act within the jurisdiction of a department or agency of the United States? and
Was the act done knowingly and willfully?
[cited in JM 9-42.001]

907. Statements Warranting Prosecution.
False Statement >
Updated January 21, 2020

We all think this trial is a cutout for Trump and Trumpism. It is not. Sussman's ass lies in the lurch. There is a live defendant. Actual jury trials are about what is charged. One count of §1001 is charged here. Keep your eye on that ball. Criminal trials are about crimes, and elements of crimes. This one will be too.

KENTUCKY DERBY DAY

There is nothing like Derby Day. The hats are as insane as they look. And yet it is one of the greatest pieces of Americana ever.

HAPPY HOLIDAYS FROM THE EMPTYWHEEL BLOG: A YEAR TO REMEMBER, A YEAR TO FORGET AND AN OPEN FORUM FOR COOKING, TRASH AND OTHER TALK

What a long strange trip 2021 has been. January 6 is still less than a year ago. Joe Biden's Presidency is only eleven months old. The DOJ and 1/6 Committee are working away nicely on an unprecedented case that is multitudes more complicated and difficult than most all seem to comprehend (although we have been warning of that here from the start). So, as we reach this tumultuous Christmas and New Years' season, amid the sudden (but quite predictable in spite of anything Biden and Harris say) emergence of Omicron, let's chill a bit and take stock of it all.

First off, and I used to do this yearly on or about Christmas Eve, a remembrance of our dearly departed friend and colleague, Mary. Mary Perdue was not just a colleague, but a friend to both me, Marcy and most all of our contributors here. Mary left us on Christmas Eve 2011. Our long time regulars know this story, but there are a lot of new people here that should know, because this is the epitome of who we are at Emptywheel and what we have done and stood for from our beginning. I used to copy and repost the entire *in memoriam*, but will just link today for brevity. If you are new here, check it out.

Okay, on to the food! Because Mrs. bmaz is Italian at root, we always have, like at Thanksgiving, ridiculously awesome homemade

spaghetti, meatballs, sausage and sauce instead of the traditional turkey and fixings. We will again. As much as I hate pumpkin pie, our daughter simply loves it, so there will be that too. That will be Christmas Day though, for Christmas Eve, probably steak, or homemade pizza, in the Ooni pizza oven. So, what are all of you eating, from where, and how? Marcy taught me long ago to seek out local and fresh ingredients, whether meat, vegetables or other, and we try to do that. Holiday food is fun!

And, now, for a bit of Trash Talk. Last night the Titans beat the 49ers and all but clinched a playoff spot and division title. Niners are still alive, but a little wounded. The Saturday game of Colts at Cardinals has all kinds of playoff implications. Both would likely still make the playoffs, but the seeding is absolutely critical. The other Christmas Day game of Cleveland at Green Bay is kind of a throwaway, hard to see the banged up and sinking Brownies going the Pack a game at Lambeau. There are too many permutations after the Sunday slate is played to go through here, but ESPN has a nice synopsis.

There is so much more going on, and let's talk about it. In closing, I'd just like to say thank you for being part of this community, it means everything to all of us here. So, to all of you and yours, have the happiest of holidays and New Year.

This year's holiday music is "Don't Shoot Me Santa Claus" by the incomparable Killers. It is really a great tune. I do suggest you click on the full screen button to embiggen it.

And for Eureka, Scribe and all our Pennsylvania friends:



PRESSURE DROP TRASH TALK

Lot of stuff in the last couple of days, and things that have people hot and bothered. So, let's chill it out a bit with some late trash talk.

First off, a bit of credit to Fernando Alonso, who finished on the podium in Qatar for the first time in a long time. The Spaniard is still one of the fastest and best drivers in F1, the problem has long been his quality of equipment. So, that is fantastic.

In the college ranks, too many B1G teams, hi Ohio State and Michigan, won yesterday, as did those darned Domers. The Pac-12 truly sucks, and ASU is in serious need of a new head football coach and athletic director. The Cincinnati Bearcats truly deserve to be in the CFB Playoffs, and if they are not let fire engulf the entire NCAA.

In the pros, the Patriots seem to have reloaded with Mac Jones a lot faster than expected, though they are doing it against not the best competition. Their next four games are tough though, so we shall see. The Packers at Vikings

may be the most interesting game of the day given that Kyler Murray seems unlikely to play as the Cards are in Seattle. Bengals at Rayduhs looks pretty interesting, though both a little flimsy right now. Lot of people taking the Cowboys over the Chefs, not sure about that. I will go with the Chefs with the game in KC. If Big Ben plays, and it looks like he will, Scribe's Stillers at the Bolts looks to be an excellent SNF game.

That's it. Trash this joint immediately. Music by Toots. Currently, Mrs. bmaz is playing Here Comes The Sun on her newish piano, the summer heat has broken, and I hope life is as good for every one of you.

THE RITTENHOUSE VERDICT

This will be quick, but I did not want Marcy's thread overcome by Rittenhouse discussion. So, just as a lead in, I'll quote a comment on the other thread by Rugger:

"Indeed, that's been the chatter elseweb for a while especially after Judge Schroeder ditched the gun charge because of the barrel size.

However, does Rittenhouse have any liability for transporting his gun across state lines in federal court?

Somehow there is something wrong with a justice system that allows killings to be washed away, no foul. This time it's Rittenhouse, but the Breonna Taylor case as well has a potential similar outcome (the boyfriend reasonably considered the plainclothes cops as intruders, and the cops reasonably considered themselves in danger once they were fired upon) of no

one held accountable as if it were a traffic accident. That's not right."

I am not sure the facts support that he transported the weapon across state line. The evidence is that a friend bought it for him in Wisconsin.

Self defense is what led Breona Taylor's boyfriend to be a free man. This case was about one defendant in one set of facts. It is not about anything else, and should not be painted as such. A serious jury deliberated, reached a verdict and delivered it. It should be respected and not made a stalking horse for the brazen claims of either side.

Have at it.

ROCKY RACCOON, NFL, NCAA AND F1 TRASH TALK

Great sports and Bob Dylan makes for a superb weekend.

THERE IS GOING TO BE A GAME TONIGHT

Some former New England Patriot QB is going back to Foxbvorough. No, it is not Jacoby Brissett. It's the other guy.

Gronk is out with fractured ribs, which really sucks. But Antonio Brown is back from Covid, the Bucs are not without weapons on offense.

The football talkers are all gabbing about hoe Bill Bel will know how to defend Brady. And that may be true. But having had the opportunity to watch Bruce Arians a few years, he can game plan on offense pretty well too.

It will be interesting to watch.

The Cincinnati Bearcats took out the Clemson, UK beat Florida and ASU trashed UCLA.

Weird week, and have at anything and everything.

MONZA, US OPEN, NFL AND OTHER SPORTS TRASH TALK

I've
been
tempted
to
effectively
repost
the
entire



piece on the ten year anniversary of my 2011 50 year anniversary post on the 1961 Italian Grand Prix, first American Champion in history (there have only ever been two), on the weekend of the 60th anniversary of the same. But we often scold people for wasting electrons and column inches needlessly. So, here is a link to my September 10, 2011 post "Italian Grand Prix 1961-2011: Monza, Death of von Trips & A Yankee Champion". Everything is there. If you like F1 and have not seen it before, think you will like it. Tomorrow may be the 12th of September, but it is truly the 60th anniversary for the Italian GP at Monza. Qualifying was lackluster, but Monza truly is the Temple Of Speed on the F1 circus.

The NFL kicked off Thursday night with a fantastic game between the 'Boys and Bucs. Both teams played really well, but never give the ball back to Brady with 1:20 left on the clock. Lot of great games on tap for Sunday.

Talk about anything and everything, sports or not. The relentless 9/11 hagiography is mind numbing. Thanks goodness for college football and the absolutely amazing Women's Final at the US Open that is about to, in minutes, come off between two amazing and captivating teenagers, Leyla Fernandez, a 19 year old (only by less than a week!) takes on former Canadian and current Brit, Emma Raducanu. They are truly amazing players and young personalities. Captivating is actually an understatement. Take a look at them, you will not be sorry.