



Written by [C. Mitchell Shaw](#) on November 1, 2017

Will Manafort Indictment Stand Legal Scrutiny?

The indictment of Paul Manafort not only fails to show any collusion between Trump and Russia (in fact, it does not even purport to do so), but the indictment itself may fall apart under legal scrutiny. If — and this is not a stretch — Manafort challenges the evidence against him as “fruit of the poisonous tree,” there may not be enough evidence left to support the indictment.



The indictment issued on Monday draws heavily from evidence gathered during a predawn “no-knock” raid of Manafort’s home in July. That raid was authorized by a Foreign Intelligence Surveillance Act (FISA) court search warrant. That warrant, in turn, appears to have been based — at least in part — on claims in the now-discredited Trump “dossier” that was [illegally bought and paid for by Hillary Clinton and the DNC](#).

As Yahoo News reported:

The “no-knock” raid by agents who picked the lock on Manafort’s front door turned up records showing the longtime political operative had been directly involved in a secret lobbying campaign on behalf of a Ukrainian political party closely aligned with Vladimir Putin’s Russian government, according to the court papers. Manafort, who ran Trump’s campaign for several crucial months last year, has been charged, along with his longtime business partner Rick Gates, with running a scheme to conceal and avoid paying taxes on millions of dollars in fees they collected for their work.

And as *The New American* reported last week:

Reports began to surface Tuesday that funds to pay for the creation of the discredited “dossier” came from both the Clinton campaign and the DNC. That in and of itself — aside from the fact that [the document is rife with salacious lies](#) — would be a perfectly legitimate political activity; campaigns and parties often finance “opposition research.” Where Clinton and company crossed the line was in failing (read: refusing) to disclose the funding in keeping with campaign finance laws.

When the so-called dossier (so-called because the document is clearly a fraudulent attempt to defame Trump by trotting out — as fact — a pack of lies that stretch the imagination to the breaking point) was reported in January, it was celebrated by many (but not all) in the liberal mainstream media as a “smoking gun” proving that Hillary Clinton was correct when she called Trump “Putin’s puppet.” It also found support from Trump’s enemies in the intelligence community.

The fact that Trump’s enemies in the media and intelligence community bought into the story of the dossier without verifying its outrageous claims says much more about them than it says about Trump. This is especially true since Fusion GPS (the company paid by the Clinton campaign and DNC to build a dossier on Trump proving his connections to and control by Russia) appears to have pilfered the most titillating parts of the narrative from [a false narrative created as an Internet](#)



Written by [C. Mitchell Shaw](#) on November 1, 2017

[prank](#).

If the FISA search warrant was based on bogus information in that now-discredited “dossier” (without which the warrant may not have been issued), then the search could be considered a “poisonous tree,” and anything gathered during this search (or discovered because of following the trail of evidence derived from it) would be considered the “fruit of the poisonous tree.” As the website of Cornell Law School [explains](#), the “fruit of the poisonous tree” doctrine “extends the exclusionary rule to make evidence inadmissible in court if it was derived from evidence that was illegally obtained.” The site goes on to explain, “As the metaphor suggests, if the evidential ‘tree’ is tainted, so is its ‘fruit.’”

If — as it appears — the indictment rests on evidence gathered during a search that was authorized because of false information in the fake Trump “dossier,” it would certainly seem that the “fruit of the poisonous tree” doctrine would begin to pull at the threads of that indictment, threatening to unravel the whole thing.

Regardless of the direction the case against Manafort takes, Clinton, Obama, and the DNC are in the crosshairs of [two new congressional investigations](#) and a [shifting focus of the Senate Intelligence Committee’s investigation into Russian collusion](#).

So while the indictment against Manafort may face legal challenges, high-ranking and well-placed Democrats may need to be prepared for their own legal challenges in the near future.

Photo: Thinkstock



Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.

Subscribe