



Written by [Michael Tennant](#) on September 14, 2022

Judge Removes Far-left Prosecutor From Case Involving Father of Girl Raped in School Bathroom by Boy in Skirt

A Virginia judge has recused a George Soros-backed county prosecutor from a disorderly conduct case involving a man whose daughter was raped in her high-school bathroom by a boy wearing a skirt.

On September 2, Loudoun County Circuit Court Judge James Plowman granted the defense's motion to remove Loudoun County Commonwealth's Attorney Buta Biberaj from Scott Smith's [appeal](#) of the disorderly conduct charge resulting from his outraged reaction to a June 2021 Loudoun County School Board meeting.



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"All Scott Smith ever wanted to do at the school board meeting that night was to have its members be honest about what had happened to his daughter, and protect all students from dangerous policies that put his daughter in harm's way," Smith's attorney, Bill Stanley, told [WTOP](#).

Instead, board members [defended](#) their policy of allowing students to use the restroom of their choice and denied that any sexual assaults had been reported.

Smith, quite naturally, was furious and berated the board for its lies and its indifference to a crime that had occurred just a month earlier because of its policies. He was dragged from the meeting by police, bloodied and with his torso exposed, and arrested. At Biberaj's insistence, he was charged with disorderly conduct and obstruction of justice. The obstruction charge was later dismissed, but he was convicted of disorderly conduct and given a suspended sentence of 10 days in jail.

As it turns out, everything Smith alleged was true. In January, the then-14-year-old boy who had entered the girls' restroom that fateful day — and who reportedly does not claim to be transgender — was [convicted](#) on two counts of forcible sodomy. Furthermore, emails [revealed](#) that the Loudoun County school superintendent notified board members of the assault allegations the same day the crime occurred.

While Biberaj, whose 2019 campaign received over \$860,000 from Soros' grossly misnamed Justice and Public Safety PAC, was throwing the book at Smith, she simply transferred the accused rapist to a different school, where he proceeded to sexually assault another girl. He pleaded guilty to charges stemming from that incident.

"Biberaj defended the decision to move the student to a different school, stressing the choice was made based on the information at the time and the view that it was unlikely the teen would re-offend," reported the [Daily Mail](#).

During Smith's appeal hearings, Stanley "relentlessly argued" that "Biberaj was inherently biased against Smith, which interfered with Smith's right to a fair trial," the paper noted.

Plowman seems to have largely agreed. In a court order, he wrote that while "there is insufficient



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evidence to determine whether a direct conflict exists that would mandate” Biberaj’s removal, Stanley’s argument “is persuasive. The concerns about the public confidence in the integrity of the prosecution as well as the defendant’s concerns regarding the impartiality of [Biberaj] are sufficiently grounded. As a result, the integrity of the defendant’s due process rights is in jeopardy and must be protected.”

He then ordered that Biberaj be “disqualified from further serving as counsel in the matter” and replaced by Stafford County Commonwealth’s Attorney Eric Olsen.

This is not the first time Plowman has been forced to take such measures against Biberaj. In June, he removed her from a multiple-burglary case because her office offered the accused, 19-year-old Kevin Enrique Valle, “a six-month plea deal by downplaying his previous criminal history and not including other burglary charges lodged against him,” according to the *Daily Mail*.

The newspaper obtained court records showing that “Valle had more than 40 cases against him in various counties throughout Virginia, including for grand larceny, burglary, and for carrying a concealed weapon — a record conveniently overlooked by Biberaj’s office,” perhaps because Valle is Hispanic.

Biberaj has also been accused of “push[ing] to let people out” of jail and is known to have hired a convicted sex offender as a paralegal, reported [Fox News](#).

Smith hailed Plowman’s decision, saying in a statement, “Buta Biberaj has demonstrated a bias against me throughout the court proceedings, and she has continued to fan the flames of those who would label parents like me who stand in protection of their kids against dangerous school policies as being ‘domestic terrorists.’”

“Nothing,” he declared, “could be further from the truth.”



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