The judge got it wrong but here's how it will be made right.. Don't rejoice yet James Comey

Professor Toto reveals the truth

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The Comey–Letitia James Case, the Misread Law, and the DoJ Gamble That Might Still Pay Off

By Professor Toto

Coming to you from the heart of TOTO-TOWN, behind the Titanium Mic of Magnanimity, broadcasting on the Freedom Frequency, where truth has a voice and legal fog gets burned off like morning mist on the Mississippi…

Let's talk plainly.

Let's talk legally.

Let's talk boldly.

Something isn't right about the judge's interpretation of 28 U.S.C. § 546, and the Department of Justice didn't stumble into this — they knew exactly what they were testing.

And in my view, the judge sliced this statute too narrow, too rigid, and in a way Congress never intended.

And that opens the door — wide — for the Court of Appeals to step in.

🔥 THE JUDGE'S MISTAKE

The judge assumed that the 120-day limit in §546(c) is an absolute cap on the Attorney General's authority.

But that is not what the statute says.

Not explicitly.

Not logically.

Not structurally.

He treated the law as if it said:

> "After 120 days, the Attorney General shall NEVER AGAIN appoint ANY interim U.S. Attorney."

Except…

the statute doesn't say that.

It says the APPOINTEE'S TERM expires after 120 days — not the Attorney General's power.

There's a world of difference between:

the appointment expiring

and

the power to appoint expiring

The judge collapsed these into one thing.

They are not one thing.

And THIS is where higher courts love to step in.

🔥 THE REAL INTERPRETIVE GAP — AND WHY IT MATTERS

The strict reading says:

> "One person — one appointment — 120 days — period."

But the flexible reading (which is fully legitimate) says:

> "That appointment expires after 120 days.

A NEW vacancy now exists.

The AG may choose to fill that NEW vacancy."

That second reading is the legal crack the DoJ relied on.

Not a loophole — a plausible statutory interpretation.

The statute never says:

❌ "The Attorney General may only appoint one interim U.S. Attorney per vacancy."

❌ "The Attorney General's power evaporates after the first appointment expires."

It ONLY says:

✔️ The term expires

✔️ And IF the position remains vacant, the court may appoint someone

The word "may" is permissive, not mandatory.

Congress did not write "shall."

Meaning the court can appoint — but only if the AG chooses not to.

This is why this case is absolutely ripe for appellate review.

🔥 WHY THE HIGHER COURT MAY OVERTURN THE DISMISSAL

1. Because the statute DOES allow two possible readings

And when Congress leaves ambiguity, appellate courts step in to choose the interpretation that preserves, not destroys, prosecutorial continuity.

2. Because the judge treated §546(d) as EXCLUSIVE — but the text doesn't demand exclusivity

It says:

> "…the DISTRICT COURT may appoint…"

It does not say:

> "…ONLY the district court may appoint…"

Nor:

> "…the Attorney General is hereby prohibited…"

The judge read exclusivity where Congress did not write it.

Appellate judges hate judicial rewriting.

3. Because a strict interpretation creates absurd results

Imagine:

U.S. Attorney resigns

AG appoints interim #1

Day 121: AG cannot appoint anyone — even if the nation is burning

Court refuses to appoint anyone

The office sits EMPTY indefinitely

THAT cannot be what Congress intended.

Appellate courts take note of statutory outcomes.

4. Because the intent of §546 was to prevent extensions — not new appointments

Congress wanted to avoid:

endless extensions

rolling 120-day renewals

sneaky continuation of the same interim U.S. Attorney

That's different from appointing a new person as a new interim for a new vacancy.

DOJ DID NOT extend Halligan.

They appointed her fresh.

That matters.

🔥 THE BIG PICTURE: WHY THE APPEAL MATTERS

The Comey–Letitia James dismissal was NOT about innocence.

NOT about evidence.

NOT about the merits of the case.

It was purely procedural — and appealable.

This is exactly the kind of structural, statutory interpretation issue that:

Appeals courts love

Supreme Court justices crave

And DOJ crafted their strategy around

The judge played the statute like a locked door.

But higher courts may see it as an open hallway with two legal exits.

And when two readings exist, the judiciary must choose the reading that preserves the functioning of the office — not paralyzes it.

This dismissal is far from the final word.

🔥 CLOSING WORD FROM THE TITANIUM MIC

DON’T LET ANYONE tell you this is over.

DON’T LET THE MEDIA spin this as some definitive victory for Comey or Letitia James.

This dismissal was NOT final.

NOT fatal.

NOT immune from reversal.

And the judge's interpretation?

Let's just say…

The higher courts may not be nearly as impressed.

Stay tuned, TOTO-TOWN.

The next round is coming.

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But here's the twist...

Professor Toto is the bold, satirical alter ego of Pastor Shane Vaughn—a persona birthed in the chaos of the 2020 SELECTION of Joe Biden. When truth was being silenced, Toto pulled back the curtain.

🎙️ Every Tuesday Night, he hosts the wildly popular podcast "The Conservative College"—a no-holds-barred, truth-packed two-hour power session where propaganda gets exposed and the future gets forecasted.

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