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An Infamous MAGA Lawyer Is Funding Wacky Legal Defenses for January 6 Suspects

A year after the “Kraken” lawsuits, Sidney Powell is still helping spread conspiracy theories in the courts.

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Kelly Meggs, an Oath Keeper facing seditious conspiracy charges over the January 6 insurrection, is getting new lawyers. And his outgoing attorney says that a nonprofit set up by Sidney Powell—the infamous pro-Trump lawyer behind the failed “Kraken” election lawsuits—has offered to help pay for Meggs’ legal defense.

Jonathan Moseley has represented Meggs since October—work that’s included filing a motion that seemed to compare Covid vaccine policies to the Holocaust. Now Moseley is being forced to step aside due to his disbarment in Virginia last month for what the state bar said were improper billing practices. In interviews, he said that Powell’s group, Defending the Republic, had covered all his fees in the Meggs case, more than \$70,000 through March. And he told me earlier this month that he expected that Meggs’ new counsel “would get funded in place of me for this work.”

The attorneys taking over Meggs’ case—Juli Haller and Stanley Woodward—declined to answer questions about their relationship with Defending the Republic and wouldn’t say whether the group would continue picking up the tab for Meggs’ defense. But according to

“People will tell you that if you if don’t have bar complaints, you’re not doing your job.”

Moseley, Powell’s organization is already paying for Haller to represent Meggs’ wife, Connie. Haller, who worked closely with Powell in 2020 to promote election fraud claims in court, now functions “like a liaison” for Powell, according to Moseley. Moseley said that it was Haller who initially recruited him to represent Kelly Meggs and arranged for him to be compensated by Defending the Republic.

As *Buzzfeed* previously reported, Moseley has said that Defending the Republic is also paying the legal bills for other January 6 defendants: Oath Keepers founder Stewart Rhodes and Kenneth Harrelson, another Oath Keeper. Additionally, Moseley wrote in a court filing in December that Defending the Republic had agreed to pay “legal fees and expenses” for Zach Rehl, the head of the Philadelphia chapter of the Proud Boys, who faces conspiracy charges related to his role in the attack. All of these defendants have pleaded not guilty.

Moseley told me that Defending the Republic caps the fees it pays January 6 lawyers at “something like” \$10,000 per month. He has separately represented Rhodes and Stop the Steal founder Ali Alexander in civil lawsuits stemming from January 6, but he said Defending the Republic did not fund that work.

Kellye SoRelle, an attorney for the Oath Keepers organization, also said that Defending the Republic was paying the legal bills for Rhodes and other Oath Keepers in their criminal cases. SoRelle said that when she was trying to find Rhodes a lawyer following his January 13, 2022, arrest in Texas, she received a call from Phillip Linder, a Dallas attorney, who was meeting with Rhodes. Linder said, “Sidney sent me up here, and she is gonna take care of the legal tab,” SoRelle recalled. Linder, Powell, and lawyers working for Powell’s organization did not respond to requests for comment.

Oath Keepers are a loose network of militia-style groups that was launched in 2009 after the election of President Barack Obama. The organization recruits former military and law enforcement personnel, though it also accepts other members for so called “missions,” including protecting businesses against looters during civil unrest. On January 6, members of the group stormed the US Capitol. A few dozen now face criminal charges. Rhodes, Kelly Meggs, and Harrelson are among 12 group members who have been charged with seditious conspiracy for allegedly plotting to use violence to stop the transfer of power to Joe Biden. Prosecutors allege that Harrelson and the Meggs couple participated in a military-style “stack” formation that entered the Capitol that day. Connie Meggs is among group members separately charged with conspiracy. Rehl is one of five senior members of the Proud Boys, a neofacist group, charged in a separate conspiracy case.

There is no indication that Defending the Republic dictates the specifics of defenses employed by suspects and attorneys who receive support from the group. But the organization has recruited lawyers for January 6 defendants from a far-right network linked to Powell. The result has been that the group is effectively funding activist attorneys who use the defenses as a political crusade, sometimes advancing bizarre legal arguments that appear to have only a fleeting connection to the crimes their clients are charged with.

Powell’s group seeks “people who are fighters,” Moseley said.

Prosecutors have advanced January 6 cases by using plea deals to gain cooperation from a growing number of conspirators. Earlier this month, William Wilson, a North Carolina Oath Keeper, became the third person to plead guilty in the seditious conspiracy case. Wilson revealed to prosecutors a January 6 phone call in which he says Rhodes asked an unidentified person to put him on the phone with Donald Trump and to “tell President Trump to call upon groups like the Oath Keepers to forcibly oppose the transfer of power.” (Rhodes’ request was apparently

unsuccessful.) Such plea bargains often benefit individual defendants, since they can get a reduced sentence by cooperating, at the expense of the larger group of suspects.

It’s not illegal for Powell’s organization to pay defendants’ legal bills. Moseley said he did not receive instructions from Defending the Republic on how to defend Meggs. But he said that the group’s financial support has the effect of making plea bargains less likely. In part, he said, that’s because defendants often plead guilty when they feel they are “out of options” and can’t afford to keep paying lawyers. But

Moseley also said that Powell's group seeks out aggressive attorneys who, in practice, may be less likely to negotiate deals with prosecutors. The group seeks "people who are fighters," he said.

Some of the attorneys in Powell's network have been involved in post-election legal battles since the very beginning. In 2020, Haller, who had worked in the Trump administration, helped Powell promote vote fraud claims in court. In filings connected to election lawsuits in Georgia and Texas, Haller indicated that she worked with Defending the Republic, listing addresses for the nonprofit as her mailing address. A federal judge in Michigan last year sanctioned Powell, Haller, and seven and other attorneys for acting "in bad faith and for an improper purpose" in a lawsuit they filed that sought to overturn Michigan's presidential election results.

For her part, Powell became infamous for enthusiastically promoting outlandish claims about an international cabal—including George Soros, China, Germany, Venezuela, Cuba, antifa, Facebook, and cities with large numbers of Black voters—that supposedly conspired to hack US voting machines and rig the election. Powell reportedly fed ideas related to overturning the election directly to Trump. Many of the insurrectionists have said they believed claims that the election was stolen.

Powell has been subpoenaed by the congressional committee investigating January 6 and has been sued for \$1.3 billion by Dominion Voting Systems over her false claims about the company. In the lawsuit, Dominion explicitly charges that the "violent mob" that stormed the Capitol was "[i]ncited by Powell's [d]isinformation [c]ampaign."

Prosecutors in Washington, DC, are also reportedly investigating fundraising and accounting practices used by Defending the Republic under Powell's leadership.

Moseley, like some of his clients, was in the crowd that gathered outside the Capitol on January 6. He publicly posted video he took there "as a volunteer reporter and writer" for National File, a far-right website. Other footage from outside the Capitol, which was flagged by Capitol Terrorists Exposers—an anonymous group researching Oath Keepers' actions on January 6—appears to show Moseley entering a restricted area close to the Capitol. There is no indication he went inside the building, and prosecutors have not charged anyone with entering a restricted area if they are not also facing other, more serious charges.

Moseley did not dispute entering a restricted area, but he said that because the Capitol Police had retreated by the time he arrived, and barricades had been dismantled, he and others around him "had no notice of what was restricted and what wasn't" in the area around Congress.

Moseley has long combined legal work and fringe political activism. In 2008 and 2011, he worked for Delaware Tea Party figure Christine O'Donnell, best known for capturing the GOP Senate nomination in 2010 and running an ad stating that she was not a witch. Moseley later unsuccessfully sued O'Donnell for unpaid wages. He has advanced various right-wing theories, including the false claim that Barack Obama is a secret Muslim. Moseley's online biography recounts work for Judicial Watch and Freedom Watch, both right-wing organizations founded by Larry Klayman, who the Southern Poverty Law Center has described as a "pathologically litigious attorney."

The Virginia Bar suspended Moseley's law license in 2009, after a court found that he'd made frivolous discovery requests and had later made false statements about the judge in the case, among other infractions. Moseley's license was suspended by the Virginia Bar again in 2019 for failing to comply with a subpoena. In 2020, a state judge faulted Moseley for, among other things, appearing "before the state court while his license to practice law was suspended." After Moseley failed to show up at an August 2021 hearing, another judge ordered him jailed for six days.

Harrelson's lawyer told me that it's "none of your fucking business" who pays for his defense.

Moseley's disbarment in April of this year resulted from his alleged violation of billing rules. He deposited a client's up-front payment for legal services in a personal account, he acknowledged in an interview this week. He also allegedly obstructed the bar's investigation into the matter. Moseley told me that his bank had closed a trust account he had set up for client payments, forcing him to deposit his client's payment into his personal account, a practice the Virginia bar prohibits. Moseley argued the bar failed to make allowances for situations like his, noting that he "had no other place to put" the funds. He also said he had "earned the fees."

"The bar is being dishonest," Moseley added. He said he is appealing the ruling.

Moseley minimized his past disciplinary issues, describing them as "administrative" actions related to his aggressive advocacy for clients.

"I do not think it is unusual to have run-ins unless you are completely not doing your job at all," he said. "People will tell you that if you if don't have bar complaints, you're not doing your job."

While defending Kelly Meggs, Moseley collaborated on multiple motions with Bradford Geyer, an attorney for Harrelson. Moseley said that Defending the Republic is also paying for Geyer to represent Harrelson. Geyer told me that it's "none of your fucking business" who pays for Harrelson's defense.

The filings the two attorneys have worked on together include assertions that Kelly Meggs and Harrelson—who were both denied bail and are jailed while awaiting trial—face efforts "to force them to receive" Covid vaccines. Both men have declined vaccination. Meggs cites an unspecified medical reason. Harrelson asserts a religious objection. In a November motion asking federal Judge Amit Mehta to allow them to exceed a page limit to advance their arguments, the attorneys offered an outline that listed prospective sections, including: "C19 Conspiracy Structure" and "SCOTUS Could Not Have Foreseen the Holocaust."

Moseley and Geyer's efforts drew a rebuke from Mehta, who told them in an order that "the court will not allow this case to become a forum for bombastic arguments" or "propagating fringe views about COVID-19." Mehta also pointed out that "the D.C. Department of Corrections does not require any person held there to accept a COVID-19 vaccine." A few weeks later, the two lawyers filed a motion that, with appendices, ran to more than 600 pages and that compared Covid vaccines to the Nazis' forced medical experiments on Jews.

In a May 5 filing, Geyer asked prosecutors for evidence related to around 80 people he called "suspicious actors" that, he said, might have been "government agents" who entrapped or "frame[d]" Oath Keepers on January 6.

Geyer told me that he believes all his filings are necessary to defend Harrelson, who he said "is totally innocent."

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