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June 15, 2020

The Honorable Donald J. Trump

President of the United States

The White House

1600 Pennsylvania Ave., NW

Washington, DC 20500

Dear Mr. President:

On behalf of Roger Stone and his family, we wish to formally and urgently express to you our support for the immediate commutation of Mr. Stone's prison sentence.

On June 30, 2020, Mr. Stone is scheduled to surrender to prison. The Federal Bureau of Prisons and the U.S. Attorney for the District of Columbia have both formally opposed any extension of this surrender date based on the current COVID-19 danger. Even though Roger Stone has appealed both his conviction and the decision by Judge Amy Berman Jackson not to grant him a new trial despite the indisputable bias of the jury forewoman, neither of these appeals will have *any* impact on the June 30 date of surrender.

For a 67-year old man with documented pre-existing medical conditions which have been known to be exacerbated by the COVID-19 pandemic, his 40-month sentence as a non-violent, first-time offender is a "death sentence." Additionally, at 71 years old, Roger's wife Nydia suffers from rheumatoid arthritis and will have no means of support in the event of his incarceration, the Stones having lost their home, savings, insurance and all their assets to fund Roger's legal defense.

From the very beginning, Mr. Stone's case was the result of a corrupt investigation intent on undoing the results of the 2016 election. Mr. Stone refused to bear false witness against you regarding phone calls between you and Mr. Stone in 2016, despite enormous legal and financial pressure to do so. We have no doubt Robert Mueller, James Comey, Adam Schiff, and John Brennan will be celebrating on June 30 when he begins his prison sentence.

We understand the power to grant either a pardon or commutation of sentence is one of the most profound authorities given to the President of the United States. It allows you as the President to offer people a second chance and to correct injustices within our judicial system. In this particular case, we agree with your astute assessment that Mr. Stone's indictment, trial, conviction, and sentence was "a miscarriage of justice" which was

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“unfair and wrong.”

Mr. Mueller used the full power of the United States government to investigate Mr. Stone for improper activity in the 2016 election, including non-existent Russian Collusion or Wikileaks collaboration. Finding none, he and his band of Trump-hating prosecutors went looking for something to pin on Mr. Stone, finally fabricating charges of “lying to Congress.”

Although we now know that McCabe, Clapper, Brennan, Page, Stroz, Rosenstein, and Mueller himself lied under oath to Congress about matters of material consequence, Roger Stone was specifically prohibited by Judge Jackson from raising this defense at trial. Roger Stone was convicted for lying to Congress about matters that were immaterial to the investigation itself. In fact, the misstatements Mr. Stone made in his voluntary testimony before the House Select Committee on Intelligence hid no underlying crime. Mr. Stone had neither intent nor motive to lie.

Much like the Special Counsel Investigation into the Trump campaign, this too was a setup. The Mueller team manufactured perfectly legal communications into a crime. Then the Mueller gang used legal trickery to ensure Stone’s case was heard by Obama appointee Judge Amy Berman Jackson. No random selection of the judge was permitted.

As you know, the Stone jury forewoman was found post-trial to have repeatedly posted anti-Trump and anti-Stone comments on her social media pages throughout 2019, but concealed her bias at the time of jury selection and deleted this proof of bias after the trial. The U.S. Supreme Court has ruled that every defendant is entitled to an “impartial and indifferent” jury, but there was nothing “indifferent” about Juror Tomeka Hart, an active Democrat who ran for Congress in Tennessee.

In fact, the D.C. Jury in Stone’s case included no Trump supporters, no Republicans, no military veterans, no blue-collar workers, but multiple former appointees of the Clinton and Obama Administrations as well as jurors with direct ties to the Department of Justice and James Comey’s FBI.

No reasonable person can claim Roger Stone was given a fair trial by a jury of his peers, but Judge Jackson denied Roger Stone’s motion for a new trial based on the indisputable bias of the jury forewoman and denied the request by Roger Stone’s lawyers to subpoena the social media posting from Facebook or Twitter that the juror had on private settings during jury selection and deleted after the trial.

Even though we have seen the egregious and blatant misconduct of the FBI, the DOJ, and the Special Counsel in the Flynn case, Roger Stone was specifically prohibited by Judge Jackson from raising the misconduct of the Special Counsel, the FBI, the DOJ, or any member of Congress. Even now, all evidence in his case remains under protective seal by Judge Jackson.

Though Mueller knew by August of 2017 that there was no collusion between Russia and the Trump campaign or any Trump supporter, the investigation into Roger Stone was not authorized by Rod Rosenstein until October 16, 2017. Roger Stone’s prosecution was led by Jeannie Rhee, who as a private attorney represented Hillary Clinton and the Clinton Foundation in the Clinton missing email case. She was also a maximum donor to both of Hillary Clinton’s two Presidential campaigns. The prosecution also featured Aaron Zelinsky, who served as Deputy Counsel to Hillary Clinton at the State Department, yet none of this was considered a conflict of interest.

We are certain you will remember the stunning pre-dawn raid on Roger Stone’s home in which 29 heavily armed FBI agents stormed his residence to arrest him after tipping off CNN. After this unnecessary show of force for the arrest of an unarmed 67-year-old man with no previous criminal record, Roger Stone was prohibited by Judge Jackson from raising the FBI’s conduct in his arrest at his trial.

The cases below illustrate how disproportionate Mr. Stone's 40-month prison sentence is:

- In 1998, President Bill Clinton was impeached for lying to a federal grand jury. Time spent in prison? Zero days.
- In 1990, former Reagan National Security Advisor John Poindexter was convicted of lying to Congress during the Iran-Contra scandal. Time spent in prison? Zero days.
- In 1992, former Defense Secretary Caspar Weinberger was indicted for lying to Congress during the Iran-Contra scandal. Time spent in prison? Zero days.
- In 1992, former CIA Deputy Director of Operations Clair George was convicted of lying to Congress during the Iran-Contra scandal. Time spent in prison? Zero days.
- In 2007, former Chief of Staff to Vice President Cheney, Scooter Libby was convicted of lying to a federal grand jury for publicly revealing the identity of a CIA agent. Time spent in prison? Zero days.

If the same standard was applied to Roger Stone as it was with Clinton, Libby, Weinberger, George, and Poindexter, then Mr. Stone shouldn't serve one day in prison. He's the victim of political prosecution, and because he refused to cooperate with the prosecutors and testify falsely against the President of the United States, they now want to send him to a potentially health-hazardous prison for almost four years at age 67.

In closing, we hope this letter will shed some light on the reasons we believe you should immediately commute Roger Stone's prison sentence.

In the name of both justice and mercy, we respectfully ask you to commute Roger Stone's sentence prior to June 30.

All the best.

Ed Martin  
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