

LATE AND INAPPROPRIATE FOR THE DOJ TO CHANGE THE BASIS OF ITS MOTION TO DISMISS SAAB'S APPEAL AT THE 11TH CIRCUIT

MIAMI, FL, ESTADOS UNIDOS, December 22, 2021 /EINPresswire.com/ -- Yesterday, dec 20th, Alex Nain Saab Moran filed a reply in the Eleventh Circuit in support of his motion to expedite the appeal.

As the reply explains, the U.S. Government moved to dismiss his appeal on mootness grounds alone but now concedes that, on “the issue of diplomatic immunity, the barrier to appeal is not mootness.” That should be dispositive on the Government’s motion to dismiss and Ms. Saab’s motion for expedition. It is too late for the Government to change the basis of its motion to dismiss, and it is improper for the Government to ask for dismissal of an appeal that is concededly within the Eleventh Circuit’s jurisdiction.

It is also readily apparent that the appeal should be expedited; the Government has not represented that—setting aside its concededly erroneous mootness argument—it “does not oppose Saab’s motion to expedite.” Mr. Saab is confident that the Eleventh Circuit will see through the Government’s efforts to confuse it into improperly remanding the case, expedite the decision, and vindicate Mr. Saab’s assertion of immunity.

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