

# *Brazil top court rejects temporary freedom for Lula, Habeas Corpus trial suspended*

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Brasilia, June 26 (RHC)-- Brazil's Supreme Federal Court (SFT) has rejected two appeals that attempted to grant freedom to former president Luiz Inacio Lula da Silva. The third motion, which was the Habeas Corpus hearing initiated on December 2018, was suspended once again and rescheduled for later this year.

This comes as a hard-hitting exposé on the alleged political motivations behind Operation Car Wash (Lava Jato) task force against Lula and the Worker's Party (PT), pushed the defense's agenda once again into the national spotlight. On June 10, Judge Gilmar Mendes cleared for trial the request for freedom to take place on Tuesday.

As Supreme court magistrates met they initiated the hearing for three motions, the first was a Habeas Corpus motion presented against the SFT's decision. This was quickly voted down by four of the judges against one in favor.

The second was a motion presented by Judge Mendes to grant provisional freedom to Lula while the trial of the second Habeas Corpus took place, in which allegations of impartiality during the conviction trial

against Lula by current Super Justice Minister Sergio Moro are investigated.

On this vote, Lula's freedom came closer to materialize as the final decision was three votes against and two in favor. The judges that voted against it were Edson Fachin, Celso de Mello and Carmen Lucia, while Mendes and Ricardo Lewandovski supported the motion.

Yet the former left-wing president's defense was hoping for a positive ruling on the third motion, but at the last moment it was suspended once again.

The habeas corpus was presented by Lula's defense last year when then-judge Sergio Moro accepted Brazilian President Jair Bolsonaro's appointment to lead the Justice Ministry. The procedure had already entered the agenda of the Supreme Court in December 2018, yet the trial was suspended on December 4th last year after Mendes requested a hearing.

At the time, the score was two votes against by Fachin and Lucia, with Mendes, de Mello and Lewandowski still pending to vote. The Supreme Court has announced the hearing will take place in the second half 2019.

Lula was convicted in July 2017 in the first of at least eight corruption trials he faces. He was jailed on April 2018 and remains in prison. He has since been convicted in a second graft trial.

Then-judge Moro ruled against Lula and rendered him ineligible to run in the 2018 presidential election at a time when all polls showed that the former president was the clear front-runner. This gave far-right Jair Bolsonaro a strong lead that resulted in his presidency win.

The new president then 'rewarded' Moro by creating an unprecedented powerful position now called the 'Super Justice Minister', which has complete control over all the judicial branch, policing and social control in Brazilian society.

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