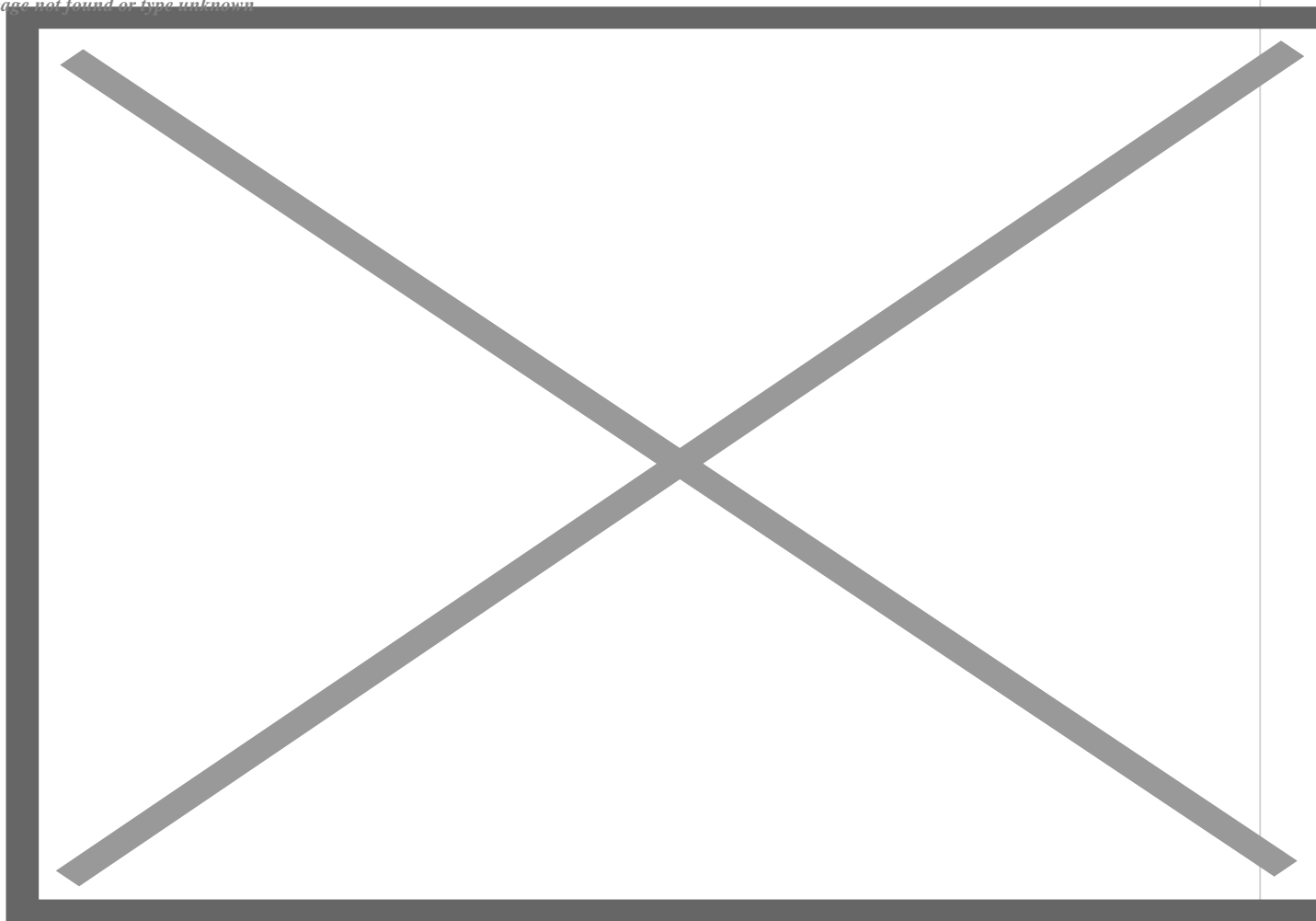


Trump may soon have to answer rape allegations under oath

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Trump may soon have to answer rape allegations under oath

Washington, February 24 (RHC)-- Former United States President Donald Trump is facing two defamation cases involving sexual misconduct allegations that could move forward more quickly now that he is out of office.

During a December visit to New York City, writer E Jean Carroll says she went shopping with a fashion consultant to find the “best outfit” for one of the most important days of her life – when she will sit face-to-face with the man she accuses of raping her decades ago -- former U.S. President Donald Trump.

The author and journalist hopes that day will come this year. Her lawyers are seeking to depose Trump in a defamation lawsuit that Carroll filed against the former president in November 2019 after he denied her accusation that he raped her at a Manhattan department store in the mid-1990s. Trump said he never knew Carroll and accused her of lying to sell her new book, adding: "She's not my type."

"I am living for the moment to walk into that room to sit across the table from him," Carroll told the Reuters news agency in an interview. "I think of it every day."

Carroll, 77, a former Elle magazine columnist, seeks unspecified damages in her lawsuit and a retraction of Trump's statements. Hers is one of two defamation cases involving sexual misconduct allegations against Trump that could move forward faster now that he has left the presidency. While Trump was in office, his lawyers delayed the case in part by arguing that the pressing duties of his office made responding to civil lawsuits impossible.

"The only barrier to proceeding with the civil suits was that he's the president," said Jennifer Rodgers, a former federal prosecutor and now an adjunct professor of clinical law at the New York University School of Law.

"I think there will be a sense among the judges that it's time to get a move on in these cases," said Roberta Kaplan, Carroll's attorney. An attorney for Trump and another representative of the former president did not respond to requests for comment.

Trump faces a similar defamation lawsuit from Summer Zervos, a former contestant on his reality television show The Apprentice. In 2016, Zervos accused Trump of sexual misconduct, saying that he kissed her against her will at a 2007 meeting in New York and later groped her at a California hotel as the two met to discuss job opportunities.

Trump denied the allegations and called Zervos a liar, prompting her to sue him for defamation in 2017, seeking damages and a retraction. Trump tried unsuccessfully to have the case dismissed, arguing that, as president, he was immune from suits filed in state courts. His lawyers appealed to the New York State Court of Appeals, which is still considering the case. Zervos filed a motion in early February asking the court to resume the case now that Trump is no longer president.

Zervos and Carroll are among more than two dozen women who have publicly accused Trump of sexual misconduct that they say occurred in the years before he became president. Other accusers include a former model who claims Trump sexually assaulted her at the 1997 U.S. Open Tennis Tournament; a former Miss Universe pageant contestant who said Trump groped her in 2006; and a reporter who alleges Trump forcibly kissed her without her consent in 2005 at his Mar-a-Lago resort.

In September, after several unsuccessful attempts by Trump's lawyers to get Carroll's case dismissed or delayed, U.S. Department of Justice officials under his administration took the unusual step of asking that the government be substituted for Trump as the defendant in the case. Justice Department lawyers argued that Trump, like any typical government employee, is entitled under federal law to immunity from civil lawsuits when performing his job. They argued that he was acting in his capacity as president when he said Carroll was lying.

Legal experts said it was unprecedented for the Justice Department to defend a president for conduct before he took office. When Judge Lewis Kaplan of the federal US District Court in Manhattan rejected that argument, the Justice Department appealed. The US Court of Appeals for the Second Circuit has yet to rule on it.

It is yet to be seen whether Justice Department officials under President Joe Biden, who took office last month, will continue to defend the case on Trump's behalf. The White House and the Justice Department declined to comment.

If the appeals court upholds Judge Kaplan's decision, it would likely clear the way for Trump to be deposed by Carroll's lawyers. Carroll's lawyers are also seeking a DNA sample from Trump. Carroll says she still has the dress she was wearing when Trump allegedly attacked her. "I hung it in my closet," she said.

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