

Chief Justice John Roberts puts temporary hold on release of Trump's tax returns to Congress

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Washington, November 1 (RHC)-- Chief Justice John Roberts agreed to temporarily put on hold a lower court order requiring the release of former U.S. President Donald Trump's tax returns by the Internal Revenue Service to a Democratic-led House committee. The tax returns had been set to be turned over

to the House Ways and Means Committee later this week. Roberts asked for a response by November 10.

The “administrative stay” is temporary in nature and does not always reflect the final disposition of the dispute. It is a move often made when a deadline approaches to preserve the status quo and give the justices more time to act.

In a flurry of Trump related emergency petitions in recent days the justice with jurisdiction over the lower courts have decided to issue such temporary relief. Justice Elena Kagan, for example issued such a stay on October 26 temporarily blocking a subpoena from the House select committee investigating the January 6, 2021, attacks for phone and text records of Arizona Republican Party Chair Kelli Ward.

Justice Clarence Thomas froze an order on October 24 requiring the testimony of Republican Sen. Lindsey Graham before a Georgia grand jury.

Roberts supervises the lower court that issued the order in the Trump IRS case, the U.S. Court of Appeals for the District of Columbia Circuit.

The congressional effort is one that stands to provide the Democratic-led House the most direct avenue to the long-sought tax information. The committee chairman Richard Neal, a Massachusetts Democrat, first sought the tax returns from the IRS in 2019, and the IRS, under the Trump administration, initially resisted turning them over.

The case moved slowly until 2021, when, under the Biden administration, the Justice Department changed its legal posture and concluded the IRS was obligated to comply with the committee’s request. A Trump-appointed judge ruled in the House’s favor late last year and the US DC Circuit Court of Appeals has refused to reverse that ruling, most recently with the full appeals court declining last week to take up the case.

A separate legal case concerning the House Oversight Committee’s pursuit of Trump tax information from his then-accounting firm ended in a settlement earlier this year, after a trip to the Supreme Court in 2020. In bringing the dispute with the Ways and Means committee to the Supreme Court, Trump is arguing that lower courts have run afoul of that 2020 case, known as Mazars.

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