

LGBT Agenda-Supporting Judge Laces Court Ruling With Defamatory Tirade Against Pastor

Liberty Counsel filed its opening brief today in the United States Court of Appeals for the First Circuit to defend Pastor Scott Lively's name and strike federal Judge Michael A. Ponsor's unnecessary and prejudicial language from the case brought against Lively by Sexual Minorities Uganda (SMUG).

Since the district court lacked jurisdiction to decide SMUG's claims, Judge Ponsor had no choice but to follow clear U.S. Supreme Court precedent and dismiss the case. Judge Ponsor correctly found that Lively "supplied no financial backing, directed no physical violence, hired no employees and he provided no supplies or other material support" to alleged "crimes against humanity" allegedly committed by various people in Uganda.

However, due to the judge's known support for the LGBT agenda, he improperly littered his order with a prolonged tirade against Lively, badly distorting Lively's Christian views and ministry and insulting him with such unbecoming epithets as "crackpot bigot," "pathetic," "ludicrous," "abhorrent" and numerous others. Judge Ponsor also purported to conclude, without even a pretense of legal or factual analysis, that Lively's Christian beliefs and pro-family ministry violated "international law" and that Lively's peaceful speaking on homosexuality in Uganda somehow "aided and abetted" crimes supposedly committed by people Lively has never even spoken to or met.

As a result, Liberty Counsel is asking the First Circuit to

strike Judge Ponsor's prejudicial and unnecessary statements from the court's opinion.

Judge Ponsor should have dismissed the case in 2013, when asked to do so following the Supreme Court opinion. Instead, he forced Lively to needlessly endure four more years of intense litigation and discovery by the army of lawyers working for the Center for Constitutional Rights, an organization that has received funding from George Soros.

"Today we defend Pastor Scott Lively's name in the Court of Appeals and work to remedy Judge Ponsor shameful diatribe against Lively's Christian values and beliefs," said Horatio Mihet, Liberty Counsel's Vice President of Legal Affairs and Chief Litigation Counsel. "Once Judge Ponsor concluded that he lacked jurisdiction over SMUG's preposterous lawsuit, the only thing left to do was dismiss it. However, instead he chose to include an unnecessary tirade of words against the pastor. The Supreme Court, and many federal appellate courts, have repeatedly rebuked judges who inject unnecessary and prejudicial 'findings' in cases where they lack jurisdiction," said Mihet.

Mat Staver, Founder and Chairman of Liberty Counsel, said: "Judge Ponsor allowed his support for the LGBT agenda to enter an opinion and make prejudicial findings laced with defamatory statements that are both illegal and unbecoming. The statements are so far outside the norm that we filed an appeal of a favorable decision dismissing the case to ask that these prejudicial and unnecessary statements be stricken. Judges may hold personal opinions like anyone else, but they should restrain themselves from lacing court rulings with them, especially when they admit they lack jurisdiction to hear the case. Judge Ponsor's actions are clearly unlawful," said Staver. {eoal}

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