

Federal Judge Wants More Evidence of Denied Religious Exemptions in Military

After last week's hearing, *Sunday in Navy SEAL 1 v. Biden*, federal Judge Steven Merryday has now requested more documents from other military branches regarding the denial of religious exemptions from the COVID shot mandate.

Judge Merryday previously ordered each branch of the military to file a detailed report regarding religious exemptions from the COVID-19 shot every 14 days beginning Friday, Jan. 7, 2022. The documents prove that the military continues to deny religious exemptions while granting medical exemptions. According to the court, after three filings, "the Navy has denied 81 appeals and granted none, the Marine Corps has denied 119 appeals and granted three, and the Air Force has denied 443 appeals and granted one appeal (and granted eight initial requests). According to the notice, neither the Army nor the Coast Guard has resolved an appeal.

"To assist the proper determination of pending motions in this difficult, consequential (to many), and somewhat novel action involving the fundamental Free Exercise rights of a formidable number of service members, as well as the vital national interest in maintaining the readiness of the armed forces," the court gave a deadline of Wednesday, Feb. 16, to submit on behalf of the Navy, Marines and Air Force: "(1) each letter or memorandum granting a religious exemption (whether granted initially or after appeal), (2) the 25 most recent denials after appeal and the underlying denial of the initial request, and (3) for each grant or denial the servicemember's initial request and the service member's letter beginning the appeal. For each grant and denial in (1) and (2) and at their discretion, the defendants may submit under seal any other

item in the administrative record of an applicant.”

Based on the wording of the order, it appears the court may not only address the two military members from last week’s hearing, but also include all the military plaintiffs and the members of the class that will cover every service member.

Liberty Counsel represents plaintiffs from five branches of the military, federal employees and federal civilian contractors who have been unlawfully mandated to get the COVID shots or face punishment and discharge from the military or termination from employment. The temporary restraining order was extended for two service members to Feb. 18 at the conclusion of the almost nine-hour hearing. Judge Merryday is expected to make a ruling by this Friday.

Liberty Counsel founder and chairman Mat Staver said, “The court continues to unfold evidence that the military branches are discriminating against the religious freedom of our military heroes. We look forward to finally putting an end to this abuse of the law and of our military personnel.” {eo}

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