

(ORDER LIST: 598 U.S.)

TUESDAY, NOVEMBER 1, 2022

ORDER IN PENDING CASE

22A337 GRAHAM, SENATOR V. FULTON CTY. SPEC. PURPOSE GRAND JURY

The application for stay and an injunction pending appeal presented to Justice Thomas and by him referred to the Court is denied. The order heretofore entered by Justice Thomas is vacated.

The lower courts assumed that the informal investigative fact-finding that Senator Graham assertedly engaged in constitutes legislative activity protected by the Speech or Debate Clause, U. S. Const. Art. I, §6, cl. 1, and they held that Senator Graham may not be questioned about such activities. The lower courts also made clear that Senator Graham may return to the District Court should disputes arise regarding the application of the Speech or Debate Clause immunity to specific questions. Accordingly, a stay or injunction is not necessary to safeguard the Senator's Speech or Debate Clause immunity.