

# Missouri v. Biden Injunction

Biden has Staged the Most Direct Attack on the First Amendment in US History



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*Judge Terry Doughty*



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**BREAKING:** Federal Judge Terry Doughty releases opinion in *Missouri v. Biden* on July 4th, finding the government likely violated the First Amendment by conspiring with Big Tech in a "far-reaching and widespread censorship campaign."

Judge Doughty grants preliminary injunction blocking the DOJ, FBI, and DHS from working with Big Tech to censor content.

You can [read the July 04 preliminary injunction here](#).

It seems like a lifetime ago. During the first week in December 2021 (BJR - before my appearance on Joe Rogan)- I traveled down to Louisiana together with Robert F. Kennedy Jr. to support Attorney General Jeff Landry in his efforts to resist Governor John Bel Edwards moves to mandate the unlicensed and still experimental Pfizer vaccine be taken by Louisiana school children.



For those unaware of the outcome, Jeff won on that issue, the sitting (D) Governor lost, and a summary of those events was published in [this substack essay](#).

Those initial events were covered in this linked substack essay, titled “[Down on the Bayou: The Battle for health freedom in Baton Rouge](#).” What I did not disclose at the time was that during our post-hearing meeting General Landry shared his thoughts concerning the strategic options and challenges which he faced in confronting the role of Big Tech in censoring and controlling the COVIDcrisis narrative. Out of those discussions came General Landry’s strategy (in cooperation with Missouri Attorney General Andrew Bailey) to file the lawsuit now known as Missouri v. Biden. What I found fascinating about that conversation was the insight into some of the challenges which a modern State Attorney General faces. Big corporations, especially big Tech, have virtually unlimited legal resources and budgets relative to even a State Attorney General. With a limited budget and a four year term, State Attorneys General face a chronic triage problem- which battles can they afford (in terms of time and treasure) to take on. The easy path is to just avoid mixing it up with large corporations and NGO - particularly when the prospect of future political donations are factored in. It takes an Attorney General with considerable courage and commitment to avoid the

easy road. In the case of Missouri v. Biden, the decision was made to do this cooperatively with AG Eric Schmitt, and when Schmitt entered the US Senate the case was taken up by his replacement, General Bailey of Missouri.

I think that it is a credit to General Landry that he has generally not sought the limelight in this case, and has allowed Missouri AG Eric Schmitt, then General Bailey to lead. But more recently General Landry, currently running for Governor of Louisiana, has come out and has published an insightful Epoch Times op-ed titled "[Who Is the Ministry of Truth?](#)", as well as a recent hit for the Epoch Times' premiere interview show "American Thought Leaders" with Jan Jekielek ("[Major Blow to Biden Admin and Federal Agencies in Free Speech Case, Judge Blocks Communication With Big Tech: Louisiana AG Jeff Landry](#)"). High points of the long-format interview were also published as a summary essay composed by [Caden Pearson](#) and [Jan Jekielek](#) titled "[Louisiana AG Jeff Landry Hails Ruling in Government-Big Tech Censorship Case as Independence Day Triumph](#)".

Early on in the case, my "Big Tech" censorship history was being considered as one of the plaintiff examples that would be cited, but I recommended to General Landry that from a tactical standpoint it would probably be better to focus on one of the primary authors and signatories of the "[Great Barrington Declaration](#)", and in particular I suggested that the case of Professor Jay Battacharya of Stanford University would be stronger because the direct censorship and defamation activities of both Anthony Fauci and Francis Collins had already been [documented via freedom of information act disclosures](#). My example case was dropped, and I helped convince Jay to join Missouri v. Biden. The rest (as they say) is history, and the story continues in the present. The full list of plaintiffs are the State of Missouri, the State of Louisiana, Dr. Aaron Kheriaty ("Kheriaty"), Dr. Martin Kulldorff ("Kulldorff"), Jim Hoft ("Hoft"), Dr. Jayanta Bhattacharya ("Bhattacharya"), and Jill Hines ("Hines").

The listed defendants consist of President Joseph R Biden ("President Biden"), Jr, Karine Jean-Pierre ("Jean-Pierre"), Vivek H Murthy ("Murthy"), Xavier Becerra ("Becerra"), Dept of Health & Human Services ("HHS"), Dr. Hugh Auchincloss ("Auchincloss"), National Institute of Allergy & Infectious Diseases ("NIAID"), Centers for Disease Control & Prevention ("CDC"), Alejandro Mayorkas ("Mayorkas"), Dept of Homeland Security ("DHS"), Jen Easterly ("Easterly"), Cybersecurity &

Infrastructure Security Agency (“CISA”), Carol Crawford (“Crawford”), United States Census Bureau (“Census Bureau”), U. S. Dept of Commerce (“Commerce”), Robert Silvers (“Silvers”), Samantha Vinograd (“Vinograd”), Ali Zaidi (“Zaidi”), Rob Flaherty (“Flaherty”), Dori Salcido (“Salcido”), Stuart F. Delery (“Delery”), Aisha Shah (“Shah”), Sarah Beran (“Beran”), Mina Hsiang (“Hsiang”), U. S. Dept of Justice (“DOJ”), Federal Bureau of Investigation (“FBI”), Laura Dehmlow (“Dehmlow”), Elvis M. Chan (“Chan”), Jay Dempsey (“Dempsey”), Kate Galatas (“Galatas”), Katharine Dealy (“Dealy”), Yolanda Byrd (“Byrd”), Christy Choi (“Choi”), Ashley Morse (“Morse”), Joshua Peck (“Peck”), Kym Wyman (“Wyman”), Lauren Protentis (“Protentis”), Geoffrey Hale (“Hale”), Allison Snell (“Snell”), Brian Scully (“Scully”), Jennifer Shopkorn (“Shopkorn”), U. S. Food & Drug Administration (“FDA”), Erica Jefferson (“Jefferson”), Michael Murray (“Murray”), Brad Kimberly (“Kimberly”), U. S. Dept of State (“State”), Leah Bray (“Bray”), Alexis Frisbie (“Frisbie”), Daniel Kimmage (“Kimmage”), U. S. Dept of Treasury (“Treasury”), Wally Adeyemo (“Adeyemo”), U. S. Election Assistance Commission (“EAC”), Steven Frid (“Frid”), and Kristen Muthig (“Muthig”).

Amicus Curiae (friend of the court) briefs have been filed in this proceeding on behalf of Alliance Defending Freedom, the Buckeye Institute, and Children’s Health Defense.

Which brings us to this historic Injunction of July 04, 2023.

This [headline from the NY Times](#) illustrates how the Biden administrations corporate media hacks generally spun the situation:



## The New York Times

# ***Federal Judge Limits Biden Officials' Contacts With Social Media Sites***

The order came in a lawsuit filed by the attorneys general of Missouri and Louisiana, who claim the administration is trying to silence its critics.

Pity the poor Biden administration's censorship-industrial complex overseers, who are now prohibited from just doing their best to protect democracy, apparently including the Cybersecurity and Infrastructure Security Agency's efforts to protect the nation's "cognitive infrastructure" via censorship, propaganda, and deployment of military-grade fifth generation warfare technologies on the citizens of the United States.

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*CISA and Easterly have been taking steps for years to make "cognitive infrastructure" stronger, in their image, of course. To most, that means propaganda. To CISA, it means **censorship and control while ensuring only "approved" narrative is available for consumption.***

***["Jen Easterly: Shaping 'Cognitive Infrastructure'"](#)***

Wendi Strauch Mahoney, *UncoverDC.Com*

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Turning now to an extended quote of the prompt and balanced coverage of [MATT BERG](#) and [JOSH GERSTEIN in Politico](#) concerning the injunction:

## [Judge limits Biden administration contact with social media firms](#)

The ruling and order are the latest developments in a long-running lawsuit spearheaded by Republican-led states. A federal judge in Louisiana ruled Tuesday that the Biden administration likely violated the First Amendment by censoring unfavorable views on social media over the course of the coronavirus pandemic, calling the efforts “Orwellian.”

U.S. District Court Judge Terry Doughty also issued [a sweeping preliminary injunction](#) barring numerous federal officials and agencies — including Surgeon General Vivek Murthy, Health and Human Services Secretary Xavier Becerra, White House press secretary Karine Jean-Pierre and all employees of the Justice Department and FBI — from having any contact with social media firms for the purpose of discouraging or removing First Amendment-protected speech.

The ruling and order from Doughty, an appointee of former President Donald Trump, are the latest developments in [a long-running lawsuit](#) spearheaded by Republican-led states alleging that the administration pressured social media companies to remove posts containing purported misinformation about the coronavirus, election security and other issues.

“During the COVID-19 pandemic, a period perhaps best characterized by widespread doubt and uncertainty, the United States Government seems to have assumed a role similar to an Orwellian ‘Ministry of Truth,’” Doughty wrote in [his 155-page opinion](#), which was released as most federal courts were closed for the Independence Day holiday.

Doughty’s ruling appears to take effect immediately, but it isn’t a final decision on the suit and can be appealed by the Biden administration to the New Orleans-based 5th U.S. Circuit Court of Appeals. The Justice Department declined to comment on the ruling Tuesday. A spokesperson for the White House did not immediately respond to a request for comment.

The judge's decision cites a wide range of topics that he says "all were suppressed" on social media at the urging of administration officials, including opposition to Covid vaccines, masking, lockdowns and the lab-leak theory; opposition to the validity of the 2020 election; opposition to President Joe Biden's and other officials' policies; and statements claiming that the story surrounding a laptop belonging to Biden's son Hunter Biden was true.

Each topic "suppressed" was a conservative view, which "is quite telling," Doughty declared.

"This targeted suppression of conservative ideas is a perfect example of viewpoint discrimination of political speech," he continued. "American citizens have the right to engage in free debate about the significant issues affecting the country ... the evidence produced thus far depicts an almost dystopian scenario."

However, the judge also pointed to past efforts to delete or suppress content from Robert F. Kennedy Jr., an anti-vaccine activist who in April announced he is challenging Biden for the 2024 Democratic presidential nomination.

Louisiana Attorney General Jeff Landry celebrated the ruling, calling it a "historic injunction" against the Biden administration that prevents it "from censoring the core political speech of ordinary Americans on social media" in a statement Tuesday afternoon.

"The evidence in our case is shocking and offensive," Landry added.

The Justice Department has argued in the case that federal officials engaging with social media companies were simply encouraging them to police their platforms and that the officials' speech in doing so was protected by the First Amendment. Federal officials have denied engaging in threats or coercion to force the companies to de-platform certain speech or speakers, although top officials sometimes denounced the companies in stark terms.

"They're killing people," [Biden said in July 2021](#), after being asked about the presence of anti-vaccine content on Facebook and other sites. "The only



**pandemic we have is among the unvaccinated, and they're killing people."**

Key quotes from the Judges amazing July 04 affirmation of the role of the first amendment in restricting the ability of the Federal Government/Administrative State to infringe on the free speech rights of US Citizens include the following:

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*If the allegations made by Plaintiffs are true, the present case arguably involves the most massive attack against free speech in United States' history. In their attempts to suppress alleged disinformation, the Federal Government, and particularly the Defendants named here, are alleged to have blatantly ignored the First Amendment's right to free speech. Although the censorship alleged in this case almost exclusively targeted conservative speech, the issues raised herein go beyond party lines. The right to free speech is not a member of any political party and does not hold any political ideology. It is the purpose of the Free Speech Clause of the First Amendment to preserve an uninhibited marketplace of ideas in which truth will ultimately prevail, rather than to countenance monopolization of the market, whether it be by government itself or private licensee.*

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Plaintiffs allege that Defendants, through public pressure campaigns, private meetings, and other forms of direct communication, regarding what Defendants described as "disinformation," "misinformation," and "malinformation," have colluded with and/or coerced social-media platforms to suppress disfavored speakers, viewpoints, and content on social-media platforms. Plaintiffs also allege that the suppression constitutes government action, and that it is a violation of Plaintiffs' freedom of speech under the First Amendment to the United States Constitution.

The First Amendment states: Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof: or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. (emphasis added).

I strongly recommend reading the entire Injunction, an incredible affirmation and defense of the US Constitution and Bill of Rights which is linked above [and here](#).

It seems likely that the Biden administration will appeal this decision, as it clear that it believes that the Federal Government/Administrative State and its Intelligence Community managers should have full operational latitude to strong arm both corporate and social media to defend its approved narrative/propaganda and suppress alternative points of view. In my opinion, it is not an overstatement to assert that this is the definitive battle which will determine whether the Citizens of these United States will be able to preserve the federal government structure handed down to us by prior generations, versus a rapid slide into a corporatist totalitarian vassal state of the Globalists and their World Economic Forum.

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