

## Federal judge denies Billington habeas

Issuing a piece of Nazi-like propaganda in the form of a “judicial opinion,” U.S. District Court Judge Richard L. Williams has refused to overturn the fraudulent conviction of LaRouche associate Michael Billington, who is serving a sentence of 77 years for “securities violations.” The July 26 opinion, which shows that the judge was either insane, corrupt, or both, ignores all evidence presented in a two-day hearing in May. In that hearing, Billington proved he was denied a fair trial, because his attorney, the late Brian P. Gettings, betrayed Billington during his 1989 frameup trial in Roanoke, Virginia. At the May hearing, Billington also clearly proved prosecutorial misconduct and lying by the prosecutor in the case, Virginia’s Assistant Attorney General John Russell.

Billington was a co-defendant of LaRouche’s in the 1988 federal trial in Alexandria, Virginia, which has been widely condemned as a political frameup. To date, over 700 U.S. state legislators, 30 former U.S. congressmen, and thousands of civil rights, religious, and political leaders, and legal specialists, from around the world, have signed an open letter to President Clinton urging him to exonerate LaRouche and his associates.

After the 1988 federal case, Billington was forced to trial a second time in Virginia state court on substantially the same charges, involving loans to political organizations. In that case, Gettings (who did not prepare for trial, but sought, and was paid, a huge fee) was convinced he could get the innocent Billington to plead guilty. When this failed, Gettings went into a psychotic rampage, colluding with prosecutor Russell in trying to prove Billington mentally incompetent.

Two legal experts, testifying on Billington’s behalf in the May hearing, said that Gettings’s conduct in this regard violated all professional standards, and in some cases was “bizarre.”

Confronted with the fact that Billington’s 1989 trial was a travesty, involving the collusion of the ADL’s trial Judge Clifford R. Weckstein, Gettings, and prosecutor Russell, Judge Williams chose not to deal with the evidence before him. Instead, taking his cues from the playbook of the “Get LaRouche” task force, Williams launched a venal attack on LaRouche, and anyone associated with him. “Billington wished to make his trial a platform to defend and extol the virtues of various LaRouche entities and LaRouche himself,” Williams blathered.

Williams went on: “Unlike most defendants who want to be found innocent of criminal charges, Billington, either because he was dominated by his political associates or be-



*Michael Billington with his wife, Gail, in 1992.*

cause of his own zealotry, wanted a forum to make a political statement rather than to establish his innocence. Billington was willing to assume the role of a martyr for a political cause.”

Judge Williams is lying. It was Gettings who refused to refute the government’s charges, both in specific, and by demonstrating the fact that the loans taken were political, and it was a political motivation that led to the prosecution. To remove politics from the trial, was to concede defeat.

In perhaps his most fanciful statement, Judge Williams called Gettings’s efforts to have Billington declared mentally incompetent and placed in an institution, “a classic example of his dedication to his client’s cause and his efforts to promote his innocence at all cost.”

Billington proved at the May hearing that he was denied his constitutional right to a lawyer. Through Gettings’s own notes, obtained only recently, he showed that Gettings lied repeatedly to Billington and misrepresented the status of his case and the evidence. Separate notes, produced by the state attorney general’s office, also proved that Gettings betrayed the attorney-client privilege in backroom conferences with Judge Weckstein and Russell.

Other evidence presented at the hearing showed that Gettings’s trial performance was so poor, that he agreed to let the prosecutor present false evidence against Billington, which helped lead to his conviction. Other documents show that prosecutors withheld exculpatory evidence during the trial—but in January, Judge Williams refused to hear evidence of prosecutorial misconduct.