

Nassar files another appeal of federal child porn sentence



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Former MSU sports doctor Larry Nassar has filed another appeal of his federal conviction and sentence on child porn charges.

In a hand-written, 15-page plea mailed Aug. 20 to the U.S. District Court in Grand Rapids, Nassar asked that his child porn convictions be tossed out.

The motion was filed before federal Judge Janet T. Neff.

In his legal pleadings, Nassar argues that he was given "ineffective assistance of counsel" and that his sentences constitute "double jeopardy."

Nassar wrote, "A person cannot be convicted for both receipt and possession of the same items of child pornography."

He also wrote that the conviction was a "violation of his First Amendment rights for free speech regarding access or possession of any computer related devices, other electronic communication data storage devices or media in any manner for any reason."

Nassar labeled his punishment "Draconian" and argues in his direct appeal that it "deprives the defendant of more liberty than is reasonably necessary to deter crime, protect the public and rehabilitate the defendant."

The former MSU sports doctor was sentenced in 2017 to three 20-year prison terms on the federal child pornography charges. The sentences will run one after another.

Last August, a three-judge panel of the Sixth Circuit Court of Appeals upheld Neff's sentences after Nassar's attorney appealed the 60-year sentence, arguing that the district court erred when it calculated his punishment for possession of 37,000 images of child pornography.

The attorney said it is unreasonable for Nassar's sentences to run consecutively to two other prison sentences issued by judges for state convictions for criminal sexual misconduct involving minors. .

The appeals court ruling indicated that the federal court did not err when it decided to make Nassar's sentences consecutive. Nassar's attorney had appealed in May 2018.

For more than 20 years, Nassar sexually abused and assaulted dozens

of girls, mostly female patients. Not long after Rachael Denhollander came forward and publicly accused Nassar in September 2016, MSU officials fired Nassar and he paid a local company to wipe all



of the data from his laptop computer.

Nassar then threw several computer hard drives containing child porn images into a trash can. Police later recovered the hard drives.

Nassar has also appealed his two sentences in Ingham and Eaton counties, 40-175 years and 40-125 years, respectively, for criminal sexual misconduct while a sports doctor at Michigan State University.

In his appeals, Nassar challenged the length of his sentences and requested that he be allowed to serve them concurrently. His lawyers also asked Ingham County Judge Rosemarie Aquilina to recuse herself from his appeal, saying she was biased. But Aquilina denied Nassar's request and Ingham County Chief Judge Richard Garcia upheld Aquilina's ruling.

Nassar is housed in a Florida federal prison.