



“Judge in Bulger case refuses to step aside”

McNabb Associates, P.C. (International and Transnational Criminal Defense Lawyers)

Submitted at 11:15 AM October 29, 2012

The Boston Globe on October 29, 2012 released the following:

“Lawyer says he will be called as witness
By Travis Andersen

For the second time in less than four months, the federal judge slated to preside over James “Whitey” Bulger’s criminal trial has denied a request from Bulger’s lawyer to recuse himself from the case.

In a three-page ruling issued on Sunday, US District Court Judge Richard G. Stearns wrote that the latest motion for recusal, which Bulger’s lead attorney filed last week, “raises no new issues of material fact or law.”

“When [Bulger’s] case was randomly assigned to me in 1999, it became my duty to see it through fairly and expeditiously, and that is the duty I will faithfully execute,” Stearns wrote.

Bulger’s lead attorney, J.W. Carney Jr., declined to comment on Sunday.

Carney had written in last week’s motion that Stearns, a former federal prosecutor in Boston, must step aside from the case in part because the lawyer intends to call him as a witness at trial.

In the same motion, Carney argued that Bulger was granted immunity to commit crimes by the late Jeremiah O’Sullivan, a former federal prosecutor who led the New England Organized Crime Strike Force before being appointed interim US attorney in Boston in 1989.

In testimony to Congress in 2002, O’Sullivan, who died in 2009, denied ever protecting Bulger from

prosecution for serious crimes.

Carney wrote that Stearns and current FBI director Robert Mueller, both former high-ranking federal prosecutors in the Boston office, did not target Bulger during their tenures, which Carney said presents circumstantial evidence of an immunity agreement.

The FBI has declined to comment on the case.

In Sunday’s ruling, Stearns wrote that there is no connection between the Organized Crime Strike Force and his tenure as chief of the Criminal Division in the US attorney’s office.

“Nor is the court persuaded by defendant’s declaration that he might attempt to summons the undersigned judge” as a witness, Stearns wrote. “As the court has previously pointed out to counsel, a witness is only properly summoned to testify if he or she has something of relevance to say on a material issue.”

The judge also took a swipe at Bulger’s efforts to delay his long-awaited trial, which is currently slated for March. He is charged in a sweeping indictment with participating in 19 murders, among other crimes.

“Defendant undoubtedly prefers not to be tried on the schedule set by the court, or not to be tried at all,” Stearns wrote. “But like [former associates] Kevin Weeks, Kevin O’Neil, Stephen Flemmi, and Michael Flemmi, all of whom have appeared as defendants before me in this case, James Bulger’s case will be adjudicated by the rules of the court, and not the contrary wishes of defendant or defendant’s counsel.”

A hearing on Carney’s separate motion to delay the trial until November is scheduled for Thursday in federal court in Boston.

He has argued that prosecutors have not met their obligation to turn over reams of evidence to the defense team in an organized fashion, which the government lawyers have adamantly denied.”

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The author of this blog is Douglas C. McNabb. Please feel free to contact him directly at mcnabb@mcnabbassociates.com or at one of the offices listed above.

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“India Must Inform INTERPOL On KP – Police”

McNabb Associates, P.C. (International and Transnational Criminal Defense Lawyers)

Submitted at 3:14 PM October 29, 2012

thesundayleader.lk on October 27, 2012 released the following:

“By Indika Sri Aravinda

The Police say the warrant issued on Kumaran Pathmanathan (KP) by INTERPOL can only be withdrawn by India and not Sri Lanka.

Police Spokesman SSP Priyashantha Jayakody told The Sunday Leader that there is no police investigation on KP.

He noted that the charges against the former LTTE chief arms procurer were filed in India and not Sri Lanka.

“We cannot ask INTERPOL to remove the warrant on KP. That can be done only by India,” he said.

UNP MP Dr. Jayalath Jayawardena had last week written to the Police Chief requesting him to provide all the required information on KP as the INTERPOL warrant is still in place. He said that there is enough evidence against KP to investigate him.

Meanwhile the UNP is to raise in Parliament the issue regarding the alleged release of KP.

UNP MP Ravi Karunanayake said that it was shocking to note government reports that there is no evidence to produce KP in court.

“It is a known fact that he helped the LTTE kill policemen and civilians. Why is he being allowed to go free? Has he bought over the government? We, who follow democratic practices, are being taken to court but he is not,” Karunanayake said.

Last year in Parliament the government had said that Kumaran Pathmanathan was being investigated and a report on the investigations will be submitted to Parliament. An INTERPOL warrant was also issued for the arrest of KP over his alleged involvement in the assassination of former Indian Prime Minister Rajiv Gandhi.

Pathmanathan was arrested in 2009 in Malaysia and has been in Sri Lankan government custody. He has since extended support to the government and is now involved in humanitarian work.”

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Police Seek Interpol's Help to Issue Red-Corner Notices (Red Notice)

McNabb Associates, P.C. (International and Transnational Criminal Defense Lawyers)

Submitted at 12:10 PM October 29, 2012

The Times of India on October 29, 2012 released the following:

“Cops turn to Interpol for 3 suspects

BANGALORE: Police have sought the help of Interpol to issue red-corner notices for three terror suspects allegedly involved with the terror modules busted in August-September.

The suspects are believed to be in Saudi Arabia, police said. In fact, one of them has been detained by Saudi authorities, they added.

B Dayananda, joint commissioner of police (east) and in charge of the central crime branch which is probing the terror modules, confirmed that police were in the process of getting the red-corner notices issued against the suspects.

CBI told to issue alert notice

The city police have asked the CBI to issue red-corner notices for interrogating the three suspects – Mohammad Abdul Majeed, 47; Usman Ghani, 32; and Mohammad Shaheed Faisal, 27 – who were allegedly involved with the terror cells busted in August-September.

“We have asked the CBI to issue red-corner notices for interrogating these men,” said B Dayananda,

Indicted Imam to Receive New Prosthetics in U.S. Jail

McNabb Associates, P.C. (International and Transnational Criminal Defense Lawyers)

Submitted at 8:55 AM October 29, 2012

[Indicted Imam to Receive New Prosthetics in U.S. Jail.](#)

joint commissioner of police (east) and in charge of the central crime branch, which is investigating the busted terror modules. The CBI is the representative body of the Interpol, as the International Criminal Police Organization, based in Lyon, France, is known.

Police sources said they have already obtained nonbailable warrants against these men from a Bangalore court.

The three men are suspected to have been allegedly indoctrinated most of the 14 suspects arrested in Hubli and Bangalore, said sources. The men were planning to target a few prominent individuals in the state. The name of one of the three absconding men, Mohammad Shaheed Faisal, had prominently figured during the interrogations of the arrested suspects.

Faisal, known by other aliases like Zaheed, Ustaad and Commander, was believed to have spoken to the 14 suspects on their recruitment and briefed them on the plots they had to execute. He is also believed to have given them two guns. Ghani is said to be in the custody of Saudi police.”

Douglas McNabb – McNabb Associates, P.C.’s INTERPOL Red Notice Removal Lawyers

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