



US Extradition Law Not Biased Against Britons

McNabb Associates, P.C. (U.S. Extradition Attorneys)

Submitted at 11:28 AM October 18, 2011

Laws governing the extradition of Britons to the US are fair, an independent review has concluded.

It follows high-profile cases, including that of Gary McKinnon, the alleged hacker who has been fighting extradition to the US for years.

The review, led by the former Court of Appeal judge Sir Scott Baker, says the treaty "does not operate in an unbalanced manner".

But Gary McKinnon's mother Janis Sharp said the finding as a "whitewash".

Home Secretary Theresa May commissioned the review - but it calls for her to be stripped of powers to determine extradition requests on human rights grounds and to let courts decide instead.

Sir Scott's report also says some criticism of the Extradition Act is based on a "misunderstanding" of how it works in practice.

The former judge also found the European Arrest Warrant system does not operate "unfairly or oppressively".

"No significant difference"

"There is no practical difference between the information submitted to and from the United States," Sir Scott Baker.

Several ministers criticized the Extradition Act 2003 while in opposition and the review follows widespread concern that the system is biased against Britain.

They argue it is unfair for the US to require "sufficient evidence to establish probable cause" before agreeing to extradite anyone to the UK, while Britons are denied the same protection.

But Sir Scott's 486-page report finds: "In our opinion, there is no

significant difference between the probable cause test and the reasonable suspicion test.

"There is no practical difference between the information submitted to and from the United States."

The review contradicts the findings of Parliament's Joint Committee on Human Rights (JCHR), which called for the Government to renegotiate the UK's extradition treaty with the United States to ensure British citizens get the same protection as Americans.

"Unacceptable"

Nine cases, including those of Abu Hamza and Babar Ahmed, are still awaiting rulings, including two which involve allegations dating back to 1997.

"Delays of this kind are, in our view, unacceptable; they are unfair to the individual and militate against the prospects of a fair trial," the report says.

The family of Babar Ahmad, a counter-terrorism suspect held in jail for seven years contesting extradition to the United States, is among those who had called for a rethink.

Mr. Ahmad's e-petition to government, asking to face trial in the UK, has recently gained enough signatures to make the top 10.

Ashfaq Ahmad, the suspect's father, said: "In June 2011, the Joint Committee on Human Rights expressed concern about Babar's case. That British Citizens accused of committing crimes in the UK can be extradited to the US in cases where the CPS has found no evidence to charge them in this country, completely undermines our criminal justice system."

Figures released in the report show between January 2004 and

July 2011, there were 130 requests by the US for people to be extradited from the UK, compared with 54 requests from the UK to the US.

A total of seven US requests were refused by the UK, compared with none of the UK's requests.

But Sir Scott points out that the US population is about five times that of the UK.

The human rights group Liberty says it rejects Sir Scott's report and is urging the government to ignore it.

Shami Chakrabarti, director of Liberty, says: "We don't just disagree with this review but are completely baffled by it.

"This is not a court judgment, merely policy advice - and government cannot abdicate its responsibility to honor the promises of both Coalition parties in opposition.

But US Attorney General Eric Holder, who met the panel during their work on the review, said the "fundamental fairness of the treaty has been demonstrated by its application during the years the treaty has been in force".

"The treaty has enabled us to work closely with our partners in the United Kingdom to pursue the interests of justice in both our nations."

The home secretary said she would consider the report's recommendations carefully.

This article was published on October 18, 2011 by BBC News.

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Man Accused in 1982 Double Rape and Murder Back in US

McNabb Associates, P.C. (U.S. Extradition
Attorneys)

Submitted at 11:44 AM October 18, 2011

Monday was the day Linda
Norwood has been waiting for
since 1982.

A fugitive wanted on the 29-year-
old double murder and rape of her
cousin, Nancy Rubia, and Rubia's
friend, Renee Rontal, finally has
been charged, following a
complicated extradition process
from Mexico that took U.S.
authorities four months to attain
after his long-awaited capture.

"We feel numb," Norwood said.
"We're happy, and we're glad he's
been captured. It's just sad that it
had to take all these years. "But
we're glad the investigators never
gave up."

Alfredo Reyes Reyes, who had
been hiding in Mexico for nearly
three decades, was arraigned
Monday on suspicion of the
premeditated murders and rapes of
Rubia and Rontal, who both were
13.

Rubia's relatives sat in the
courtroom audience Monday -
facing the back of a man who for so
long seemed elusive but is at last
looking at a lifetime in prison.

"It's rather amazing that
somebody (sought for) murder can
hide out for close to 30 years," said

San Joaquin County Deputy
District Attorney Kevin Mayo, who
is handling the case. "I don't know
how he lived his life with what he
did."

Rubia and Rontal were last seen
alive Jan. 25, 1982. Investigators
say the girls were seen getting into
a white-and-brown Pontiac Firebird
with two men who were cruising
along Charter Way.

The next day, a farm worker
found Rontal floating facedown in
a shallow water ditch on Bacon
Island, west of Stockton.

Responding deputies located
Rubia in the area, also facedown.

Reyes' friend, Antonio Espinoza,
now 50, has been sitting on San
Quentin's death row for the
gruesome slayings since the mid-
1980s.

But law enforcement officials had
a difficult time finding Reyes, now
51.

Stockton City Councilman Elbert
Holman, then a detective assigned
to the case, recalled chasing after
Reyes.

Holman and his partner traveled
as far as Mexico and into the hills
of the Sierra Madre, facing the
danger of drug-related violence
along the way.

Yet, after every lead and search
warrant, they came back empty-
handed.

Earlier this year, the FBI helped
facilitate the arrest of Reyes. And
last week, he was transported from
a Tijuana jail to San Joaquin
County on the condition that he
would not face the death penalty.

Holman was called to assist in the
questioning of Reyes last week.

"To see him face to face the other
day, it just took me back to
memories - of all the work we did
back then," Holman said. "After
more than 20 years, you wonder if
you would have known him if
you'd ever see him."

Holman remembers promising
both girls' families the manhunt
would continue until Reyes was
brought to justice.

County authorities collaborated
with the FBI and relied on the
cooperation of an informant. Reyes,
known to enjoy the party scene and
frequent pool halls, was arrested
May 27 in a Tijuana pool hall by
FBI agents and Mexican federal
police.

"My hat goes off to the San
Joaquin Sheriff's Department and
their detectives in continuing to
pursue him. I think that's really
commendable," Holman said. "I'm
glad we have an opportunity to
bring closure to this case."

Local prosecutors originally
anticipated that transporting Reyes
might have taken up to a year.

Norwood said her family waited
anxiously, worrying that any
potential paperwork error could
have delayed the process, or that
Reyes could have been set free by
Mexican authorities before local
prosecutors had the chance to
extradite him.

The District Attorney's Office had
only two months to file an
extradition request with Mexican
officials, and it had to agree that
Reyes would not be subjected to
the death penalty.

Mexico instituted anti-capital
punishment laws in 2005 that
prevent the transfer of suspects
who would otherwise be sentenced
to death.

Norwood said her family was
initially disappointed that the death
penalty wasn't an option, but
they're thankful that Reyes at least -
and at last - is being prosecuted.

"I believe Nancy just hasn't been
able to rest until this piece of the
puzzle is solved," Norwood said.

Prosecutors are confident they
have the evidence to convict Reyes.

DNA and other forensic evidence
taken at the crime scene will now
be tested. The technology didn't
exist then, but the samples of
semen and blood have been saved,
Mayo said.

And he's happy to have it. There is
concern that witness testimony

from nearly 30 years ago might not be as precise as science.

As for Norwood, what the family wants to know now is why Rubia and Rontal were killed.

"We want the truth. What did they do to deserve that? ... They were still babies," Norwood said. "They can't give us Nancy and Renee back, but they can give us that answer."

This article was written by Jennie Rodriguez-Moore and published on October 18, 2011 by Recordnet.com.

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Despite Trail of Deaths, U.S. Fugitive Thrives with Dominican "Justice"

McNabb Associates, P.C. (U.S. Extradition Attorneys)

Submitted at 11:53 AM October 18, 2011

The cockfight businessman Winston Rizik Rodriguez has become a "lucky rooster" by managing to evade several accusations against him, including an U.S. extradition request and having escaped two attempts on his life. Now his challenge is in the

jurisdiction of Higüey (east) where he'll be tried for two murders.

The man known as "El Don" and "El Gallero" (the cock-fighter) escaped a Florida prison after being convicted to 8 years in prison for drug trafficking.

According to the U.S. Marshals' list of fugitives cited by news source [eldia.com.do](#), Rizik is "armed and dangerous and specify refer that he has "associates" in Georgia, Puerto Rico and Dominican Republic. Despite the U.S. conviction, the Supreme Court in a controversial ruling rejected the extradition request and ordered the return of all seized assets on February 25, 2009.

Survivor

A group of six hired killers gunned down the engineer Wilson Alejandro Amparo Luna, confusing him with Rizik, whose murder had been allegedly ordered by a narcotics trafficker. Days later "El Gallero" was shot and injured in the left shoulder while driving along Winston Churchill Av.

The authorities say that and other attacks against Rizik are the result of a turf war between drug trafficking gangs of La Romana, which has already claimed several lives, including Alfredo Rodriguez (Niño Pata Corta) and Juan Arturo Donastorg, both linked to Antonio del Rosario Puente and gunned down on the La Romana-Guaymate highway.

This article was published by the Dominican Today on October 17, 2011.

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Julian Assange Unmasked at Protest

McNabb Associates, P.C. (U.S. Extradition Attorneys)

Submitted at 12:02 PM October 18, 2011

Given his ongoing fight against extradition, you'd have thought Julian Assange might want to keep a low profile.

But the founder of Wikileaks ended up drawing more attention to himself when he turned up at an anti-City protest in London wearing a Guy Fawkes-style mask.

Police used the Public Order Act to demand that the self-styled defender of liberty remove the "disguise".

He then used a megaphone to address a crowd telling them that protesters should have the right to mask their identities.

Assange, 40, is currently fighting extradition to Sweden for questioning over the rape and sexual assault of two women, which he denies.

On Saturday he turned up at the British end of the worldwide wave of anti-capitalism protests that began in New York on Friday, and led to violence in Rome and Berlin. He arrived wearing a black hooded cape and mask of a type featured in a British film about a pro-democracy activist of the near-future, *V For Vendetta*.

The controversial Wikileaks chief - who angered the US and other governments by leaking tens of thousands of secret documents from American embassies across the globe - said "it is now impossible for people to move in an anonymous way". Wearing masks to protests to keep one's identity secret from the state was a human right, he suggested, a right that

should remain until the secrecy surrounding Swiss bank accounts is swept away.

Assange - who was accompanied by two burly bodyguards - then thanked his supporters, while saying that for the last 310 days he had been suffering "electronically manacled house arrest in Norfolk". Assange was tagged as part of his bail conditions last December.

The anti-capitalism protests began in New York, where the newly-formed Occupy Wall Street group caused disruption across the city.

In London, an attempt to occupy the Stock Exchange flopped, and protesters instead set up 70 tents by St Paul's Cathedral in the City, and stayed overnight and into yesterday.

Activists, around 250 in total, have vowed to stay, and carried banners with slogans such as "We are the 99%" and "Bankers got a bailout, we got sold out".

Last night a number of tents were still camped outside the landmark.

Several thousands of demonstrators had descended on the area, leading to a total of eight arrests by yesterday afternoon, including a girl aged 17 and a woman aged 41 both suspected of assaulting police.

St Paul's canon chancellor the Reverend Dr Giles Fraser emerged on to the cathedral steps yesterday morning to ask police to move off the steps so worshippers could get inside - and to express his support for the democratic right to protest.

Dr. Fraser said: "I haven't seen any trouble, I understood there might have been some but I haven't seen any trouble. The police were trying to protect the building for us which was very good of them. Earlier this morning I asked them if they'd leave because I didn't feel that it needed that sort of protection."

Scotland Yard said it had made efforts to ensure Saturday's protest was largely peaceful. However, Occupy London Stock Exchange

supporter Anna Jones claimed "a disproportionate amount of force" was used by police against protesters outside St Paul's.

In Rome on Saturday hardcore anarchists from the "Black Bloc" wore masks as they hijacked peaceful anti-capitalism protest by tens of thousands so called "indignant ones" to torch cars, attack banks and hurl rocks.

There was also violence in Berlin, but more peaceful protests in numerous other cities including Madrid, Lisbon, Frankfurt, Toronto, Mexico City, Boston, Chicago, Los Angeles, Sydney and Hong Kong.

This article was published by iol news on October 18, 2011.

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Officials Continue to Push for Extradition of Murder Suspect

McNabb Associates, P.C. (U.S. Extradition Attorneys)

Submitted at 12:16 PM October 18, 2011

Federal officials have had all the information they need for a year to begin the extradition process in a

Weslaco murder case, according to U.S. Congressman Ruben Hinojosa's office.

Fourteen-year-old Robert Castro Jr. was shot to death in August 2008. Castro's father had confronted some men who had stolen their truck. A stray bullet killed the teen as the men drove away.

Since then, Manuel Enrique Garcia has been sentenced to 18 years in prison for his part in Castro's murder, but the alleged gunman, Jose Antonio Sanchez Zapata, remains free in Mexico.

A few months back, CHANNEL 5 NEWS started working with Castro's family and Hinojosa's office to get the extradition process moving forward that could bring Zapata back to the Valley to stand trial in the case.

Salomon Torres, a spokesman for the congressman, says they finally received a copy of the full incident report on the crime Wednesday. They had first requested it from Weslaco police back in August.

Torres says they have also now met with Hidalgo County District Attorney Rene Guerra. Torres says Guerra sent officials in Washington everything they would need to begin the extradition process about a year ago.

He says now the congressman will send the U.S. State and Justice departments a letter asking where the extradition process stands. Torres says they expect now to get a formal response within about 45 days.

This article was written by Kirk Chaisson and published by KRGV News on October 14, 2011.

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Mexico Drug Cartel Suspect 'La Barbie' on Prison Hunger Strike

McNabb Associates, P.C. (U.S. Extradition Attorneys)

Submitted at 12:30 PM October 18, 2011

The U.S.-born drug trafficking suspect known as "La Barbie" has gone on a hunger strike at the high-security prison in Mexico where he awaits extradition to the United States because authorities are denying him conjugal visits over discrepancies in his partner's documents, authorities say.

Edgar Valdez Villarreal, a 38-year-old Texas native known as "La Barbie" for his fair looks, has not eaten prison-prepared food since Oct. 2, authorities said.

He is still receiving food and cleaning products that inmates are able to buy inside the Altiplano prison in the central state of Mexico, the federal public safety ministry said in a statement released Thursday.

The statement comes after a brother of the suspected drug-trafficker told the San Antonio Express-News that Valdez stopped eating on Sept. 26 over conditions at Altiplano. Abel Valdez said his brother went on a hunger strike out of fear that prison authorities are setting him up to be killed by other inmates by spreading a rumor that he is a snitch.

Veronica Peñuñuri, spokeswoman for the federal public safety

ministry, said the allegations had no merit. "La Barbie" chose to stop eating the prison's cafeteria food after his petition for a conjugal visit with an unnamed woman was tripped up due to discrepancies in copies of her birth certificate, Peñuñuri told The Times.

The woman's documents showed locations of birth in three places: Acapulco, in Guerrero state, Nuevo Laredo in Tamaulipas, and Laredo, Texas, where "La Barbie" was born.

"This is done with all inmates," Peñuñuri said. "All that is happening is that we are determining where she was born so that she can enter."

Valdez's health is not in danger and he is being monitored by prison doctors, she added.

"La Barbie," accused of running an ultra-violent enforcement arm of the Beltran-Leyva cartel, was arrested in August 2010.

He sparked intrigue among drug-war observers for sporting a sly grin when Mexican authorities presented him in a customary media event. One theory that circulated at the time suggested that Valdez, as a U.S. citizen, was expecting to become a protected witness for U.S. authorities in exchange for a lighter sentence if convicted.

He faces multiple drug trafficking charges in Texas and Louisiana.

More than a year later, Valdez has not been extradited and remains behind bars in Mexico. His brother told the San Antonio paper this week that "La Barbie" is being set up by prison authorities who are spreading rumors about Valdez to other inmates.

"They're using tactics to keep my brother's mouth shut because he knows too much," Abel Valdez told the Express-News.

The suspected trafficker's lawyers also allege that they're not given access to their client.

"La Barbie" -- a former high school football player in Laredo --

also became an unexpected fashion icon after he was presented to the media wearing the clothes he was wearing when captured: a pine-green Ralph Lauren polo shirt with "London" on the front.

These shirts -- or more precisely, large quantities of knock-off versions -- have since become hot-selling items in the notorious Tepito market of downtown Mexico City and other dense streets where vendors hawk pirated goods, raising concern among Mexican officials about the rise of "narco-fashion".

This article was written by Daniel Hernandez and published by World Now on October 13, 2011.

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Alleged Iran Plot May have Violated UN Treaty

McNabb Associates, P.C. (U.S. Extradition Attorneys)

Submitted at 12:41 PM October 18, 2011

An alleged plot to assassinate the Saudi Arabian ambassador to the United States may have violated a U.N. treaty protecting diplomats and could escalate the crisis to an international court.

U.S. authorities have arrested Iranian-American Manssor Arbabsiar for the alleged plot and

accused a second Iranian man, Gholam Shakuri, who is believed to be at large in Iran and a member of the country's elite Quds Force.

If they were involved in a plot to kill Saudi Ambassador Adel al-Jubeir, that would likely violate the U.N. Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons.

The treaty, which Iran signed in 1978, would require Tehran to consider prosecuting Shakuri in its court system or extradite him to a requesting country, potentially the United States or Saudi Arabia, both longtime foes.

An important sticking point to any prosecution or extradition is that Iran has fiercely denied the allegations and is unlikely to turn Shakuri over to any country.

"This is one of those areas where there's not really too much fuzziness. It's very clear that these kind of people (diplomats), these kind of officials, they're immune from attack," said David Kaye, executive director of the UCLA School of Law's International Human Rights Law Program.

Jubeir was named Saudi ambassador to the United States in early 2007 after serving in the embassy in Washington. He is considered a close adviser to Saudi King Abdullah, a key U.S. ally in the volatile and oil-rich Middle East region.

Secretary of State Hillary Clinton made a point on Wednesday of noting that Iran had agreed to the U.N. treaty.

"This kind of reckless act undermines international norms and the international system. Iran must be held accountable for its actions," she said.

TWO OPTIONS

The United States has two options if Iran officially rejects the case, including pursuing action at the U.N. Security Council. That was done when Libya refused to hand over two men accused of the Pan

Am 103 bombing over Lockerbie, Scotland.

The United States or Saudi Arabia could bring it to the United Nations and argue that "these are very obvious violations and for the Security Council to do nothing in light of this major attempted violation cheapens the words" of the treaty, Kaye said.

Another option, if there is a dispute under the U.N. treaty for protected persons, is that one side can seek an arbitration and ultimately a ruling from the Court of International Justice, located in the Netherlands.

"Basically it's asking the court to interpret whether the convention has in fact been violated," said Sean Murphy, a professor at George Washington University Law School who has argued several cases before the court.

After lengthy legal wrangling in the Lockerbie case and an eventual thawing of relations between Washington and Tripoli, the suspects in that case were handed over to a Scottish court that was convened in the Netherlands.

The United States could also turn the matter over to Interpol, the global police organization, which could order an international arrest warrant for Shakuri, thus making it difficult for him to travel outside of Iran, the experts said.

The legal proceedings against Arbabsiar will proceed in U.S. District Court in New York where he will appear on October 25 for a preliminary hearing.

This article was written by Jeremy Pelofsky and published by Reuters on October 13, 2011.

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Las Vegas Murder Suspect Ordered Extradited to U.S.

McNabb Associates, P.C. (U.S. Extradition Attorneys)

Submitted at 12:56 PM October 18, 2011

A man wanted for murder in Las Vegas was ordered Friday to surrender himself for extradition to the U.S.

In May last year, Leandro Lopez-Turatiz, 27, was arrested in Vancouver on a warrant for the May 2009 murder of Francisco Lambert-Cordero, 23.

U.S. authorities allege that Lopez-Turatiz killed Lambert-Cordero by shooting him in the back of the head in a Las Vegas home.

Lopez-Turatiz attempted to clean up the bloody scene in the house and then moved the body to the garage, say authorities in documents filed in B.C. Supreme Court.

While he was moving the body, Lopez-Turatiz touched the garage with his hand and made an imprint on the wall with Lambert-Cordero's blood, say authorities.

Lopez-Turatiz allegedly loaded the body into the trunk of a car, drove to a remote area in Clark County, Nev., and disposed of the body, covering it with pine boughs.

Lopez-Turatiz is said to have then driven to an empty lot in South Las Vegas Valley and attempted to

dispose of blood-covered sheets used to cover the body by setting them on fire.

Soon after, Lopez-Turatiz fled the U.S. and entered Canada.

The Las Vegas home where the murder is alleged to have been committed was a marijuana grow-op.

Court heard that Lopez-Turatiz and Lambert-Cordero had been among a group of Cuban nationals who sought refugee status when they arrived in Florida in January 2007.

Both men were admitted into the U.S. under probationary refugee status, with Lopez-Turatiz being relocated to Las Vegas and Lambert-Cordero being initially sponsored into the Miami area by family members.

At trial, Lopez-Turatiz's lawyer argued that the evidence, entirely circumstantial, consisted of "conjecture and speculation" and was insufficient for extradition committal.

But in a ruling released Friday, B.C. Supreme Court Associate Chief Justice Anne MacKenzie found there were sufficient grounds for committal.

"Having considered all of the circumstantial evidence and engaged in a limited weighing of it, I conclude that a properly instructed jury could reasonably infer that Mr. Lopez[-Turatiz] shot Mr. Lambert[-Cordero] in the back of the head with the required intent for murder," said the judge.

Lopez-Turatiz has 30 days to appeal and can apply for bail. The next stage in the process is for the federal justice minister to decide whether to extradite him back to the U.S.

This article was written by Keith Fraser and published by The Province on October 9, 2011.

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