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## Dershowitz will try to get Stanford bail

By MARY FLOOD Copyright 2010 Houston Chronicle

April 8, 2010, 9:46PM

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Harvard Law School professor Alan Dershowitz will be a consultant on a third effort to get incarcerated businessman R. Allen Stanford freed before his January trial.

Deemed a flight risk because of his connections to Antigua and denied bail, Stanford, 60, has been behind bars since June 2009 and in solitary confinement some of that time. His prior teams of lawyers have twice argued that he cannot adequately prepare for his defense and must be let out, under house arrest and possibly with guards.

Though lawyers argued Stanford must be able to use a computer and review boxes of documents, which are not allowed in federal detention, their two prior efforts have failed at both the trial and appellate court level.

The law professor says he thinks he can combine arguments about violations of Stanford's Fifth Amendment right against double jeopardy, Sixth Amendment right to defend himself and Eighth Amendment right to pre-trial freedom to get this case all the way to the U.S. Supreme Court.

"My philosophy is: Never give up," said Dershowitz, who visited Stanford in Houston this week. "Just because something was turned down doesn't mean you shouldn't try again."

Dershowitz said he will be a consultant to Stanford's new Houston-based attorneys, Mike Essmyer and Robert S. Bennett. The law professor, known for his defense work nationwide, said he's talked to Stanford's previous lawyers over time as well.

Dershowitz said Thursday he does not believe that when Congress passed the bail reform act that allowed for Stanford's detention that they had in mind a man who could be in prison for two years before the end of his trial.

"It's so unfair to simply lock somebody up and not let them prepare for their defense," said Dershowitz.

Stanford is accused of 21 counts of conspiracy, fraud, bribery and obstruction of justice. He and others are accused of cheating investors who bought certificates of deposit issued by Stanford International Bank on the Caribbean island of Antigua, and sold through companies affiliated with Houston-based Stanford Financial Group.

Stanford has denied he committed any crimes.

Stanford's co-defendants were not imprisoned. Laura Holt had all her funds frozen in February 2009 when the Securities and Exchange Commission filed a civil lawsuit that froze all company assets as well and put the firm under a receiver through a Dallas judge.

Essmyer said they want Dershowitz on the team because they believe if a Supreme Court justice saw how difficult it is under Bureau of Prison rules to get paperwork to Stanford so he can aid in his own defense, this wouldn't be happening.

"I cannot effectively defend the man if he can't read over the paperwork. Prison rules don't match what's necessary in a big paper case," Essmyer said.

Essmyer said they hope Lloyd's of London insurance will pay for Dershowitz.

Prosecutors generally do not comment for stories like this, and federal prosecutor Paul Pelletier had no comment Thursday.

In previous court cases and in briefs responding to these same arguments made by Stanford's previous lawyers, prosecutors have said Stanford's dual citizenship, international contacts and possible access to hidden or donated funds make him a flight risk.

[mary.flood@chron.com](mailto:mary.flood@chron.com)

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**Dino77** wrote:

The only way someone deemed a flight risk should be released is if their lawyer agrees to take their place in prison until they return to jail.

4/9/2010 12:10:20 AM



(0)

Recommend: (21) (7)

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**ntangle** wrote:

"Just because something was turned down doesn't mean you shouldn't try again."

-----  
Especially if the hours are billable.

4/9/2010 4:57:02 AM



(92)

Recommend: (19) (1)

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**Kittenfish** wrote:

The situation is still the same: Stanford is a flight risk and NOTHING has changed that. Too bad he's in jail until his trial. If he skips town, there would be no trial at all! So keep him nice and cozy in jail, where he'll likely have to stay anyway.

4/9/2010 7:30:01 AM



(21)

Recommend: (12) (3)

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**hershel\_krustofsky** wrote:

I understand the rights of the defendant must be respected, but what about the rights of the people? We, the people who effectively are the individuals making the complaint against His Royal Highness, have paid to litigate the issue of HRH's pre-trial release. In fact, we have paid to have the argument considered twice, including a ruling by the 5th Circuit. Enough is enough. The matter has been considered and the rulings of the courts must be respected. The people should not have to fight against the exact same argument time and time again, wasting the resources of teh people with needless litigation simply because a newly added defense attorney wants to run his billable hours up.

4/9/2010 9:13:24 AM

Recommend: (11) (3)

[\[Report abuse\]](#)**XFX** wrote:

Fat chance the attorney-criminal would sit in place of the criminal with the FBOP!

4/9/2010 12:41:12 AM

Recommend: (10) (0)

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(1)

**iviewit** wrote:

Perhaps Stanford should sue his lawyers from Proskauer too, everyone is, ""rook jumps queen, knight jumps queen, pawns jump queen, GANG BANG!!!!"

MADOFF + STANFORD + DREIER + SATYAM + FISERV + ALBERT HU + The 1031 Tax Group LLC - Edward H. Okun = PROSKAUER ROSE &amp; FOLEY &amp; LARDNER

Check out Inventor Eliot Bernstein Testimony @ The New York Judiciary Committee headed by John L. Sampson @

<http://www.fliqz.com/asp/permalink.aspx?vid=01...>

Check out Iviewit News - IVIEWIT TRILLION \$\$ FED SUIT DEFENDANT PROSKAUER ROSE SUED IN GLOBAL CLASS ACTION RE STANFORD PONZI @

<http://www.free-press-release.com/news-iviewit-...>

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Investors who have been burned in these scams should start to seek redress from the lawyers who were involved with these scams. I personally have been trying to notify regulators and authorities of a ONE TRILLION DOLLAR scam that is putting states like New York and Florida at huge risk, as well as, companies like Intel, Lockheed, SGI and IBM. The states and companies involved in the fraud fail to acknowledge the risk exposing shareholders and citizens to impending liabilities. Investigators, courts and federal agents ignoring the crimes and evidence, including a car-bombing attempt on my life. I know how Harry Markopolos felt trying to expose Madoff in a world without regulation.

Did I hear Proskauer Rose is involved in Madoff (involved many clients too) and acted as Allen Stanford's attorney. Investors who lost money in these scams should start looking at the law firm Proskauer's assets for recovery. First, Proskauer partner Gregg Mashberg claims Madoff is a financial 9/11 for their clients, if they directed you to Madoff sue them. Then, Proskauer partner Thomas Sjoblom former enforcement dude for SEC and Allen Stanford attorney, declares PARTY IS OVER to Stanford employees and advises them to PRAY, this two days before SEC hearings. Then at hearings, he lies with Holt to SEC saying she only prepared with him but fails to mention Miami meeting at airport hanger. Then Sjoblom resigns after SEC begins investigation and sends note to SEC disaffirming all statements made by him and Proskauer, his butt on fire. If you were burned in Stanford sue Proskauer.

Proskauer Rose and Foley & Lardner are also in a TRILLION dollar FEDERAL LAWSUIT legally related to a WHISTLEBLOWER CASE also in FEDERAL COURT. Marc S. Dreier, brought in through Raymond A. Joao of Meltzer Lippe after putting 90+ patents of mine in his own name, is also a defendant in the Federal Case.

The Trillion Dollar suit according to Judge Shira Scheindlin is one of PATENT THEFT, MURDER & A CAR BOMBING. For graphics on the car bombing visit [www.iviewit.tv](http://www.iviewit.tv).

The Federal Court cases

Cases @ New York Second Circuit

1. 08-4873-cv United States Court of Appeals for the Second Circuit Docket - Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al. - TRILLION DOLLAR LAWSUIT

2. Capogrosso v New York State Commission on Judicial Conduct, et al.

3. Esposito v The State of New York, et al.

4. McKeown v The State of New York, et al.

Related Cases @ US District Court - Southern District NY

5. 07cv09599 Anderson v The State of New York, et al. - WHISTLEBLOWER LAWSUIT which other cases have been marked legally "related" to by Fed. Judge Shira A. Scheindlin

6. 07cv11196 Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al.

7. 07cv11612 Esposito v The State of New York, et al.,

8. 08cv00526 Capogrosso v New York State Commission on Judicial Conduct, et al.,

- 9. 08cv02391 McKeown v The State of New York, et al.,
- 10. 08cv02852 Galison v The State of New York, et al.,
- 11. 08cv03305 Carvel v The State of New York, et al., and,
- 12. 08cv4053 Gizella Weissshaus v The State of New York, et al.
- 13. 08cv4438 Suzanne McCormick v The State of New York, et al.
- 14. 08 cv 6368 John L. Petrec-Tolino v. The State of New York

Eliot I. Bernstein

Inventor

Iviewit Holdings, Inc. – DL

Iviewit Holdings, Inc. – DL

Iviewit Holdings, Inc. – FL

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4/15/2010 6:28:36 AM

Recommend: (0) (0)

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**houstoncurmudgeon** wrote:

Let him go !!! He only screwed those trying to screw the system by going offshore.

4/9/2010 11:00:54 PM

Recommend: (0) (1)

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(22)



**Kittenfish** wrote:

I think it is naive to think that he doesn't have gobs of money stashed around in secret numbered accounts in many non-extradition countries. Also, it is naive to think that he doesn't have dirt on other people to where he could blackmail them into helping him IF he should ever get out of lockup. So he is STILL very much a flight risk. LEAVE HIM IN JAIL.

4/9/2010 2:50:29 PM

Recommend: (2) (2)

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(21)



**NOXQSEZ** wrote:

His picture in the paper..giving a thumbs up..and that smug grin MADE MY SKIN CRAWL...!!!!!! I say let him out...I am sure there are plenty of people out there that would love to pop him....NUFF...SAID...!!!!!!

4/9/2010 2:33:19 PM

Recommend: (3) (2)

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