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Beverly Hills, California

MAJOR ILLEGAL STATE WIRETAP AGAINST YOUTHFUL MARIJUANA DEALERS TRIGGERS FANTASTIC CASE RESOLUTION WHICH RESULTS IN PROBATION OFFERS FOR ALL OF THE DEFENDANTS

On March 20, 2007, the Orange County District Attorney's Office charged seven defendants in a long term wire tap investigation using the California Wiretap Statute. The initial bond recommendations were \$1,000,000.

The lead defendant was represented by Ronald Richards, Esq. The other defendants were represented by outstanding attorneys as well. James Spertus, Victor Sherman, Michael McDonnell, Allan Stokke, Daryl Anthony, and Michael Cabori.

The narrow issue was the use of a money laundering statute which was an addition to the wire tap statute vis a viz the Proposition 21 voter initiative. The voters approved a juvenile offender law which had a component which allowed wiretaps against gang members for certain crimes. The law was approved in 2000.

Subsequent to its passage, the Orange County District Attorney approved a wiretap to investigate youthful marijuana dealers under the rubric that there was money laundering. The police tried to back door a non gang member investigation, marijuana only, wire tap against these youthful offenders.

Had Californians realized that this statute would be abused to this degree, they would be shocked. Nowhere in the ballot arguments did the proponents ever argue that they would abandon the traditional wiretap targets and start wiretapping marijuana dealers. The same logic would allow state police to wiretap any seller of any drug. Marijuana investigations have always been excluded from a state issued wiretap.

Fortunately, the team of fantastic attorneys filed an expansive motion to suppress the wiretap. Victor Sherman, Ronald Richards, and James Spertus took the lead. The other counsel also filed supplemental motions. Based on the various motions, the offers went from years in state prison to probation and nine of the ten counts were dismissed.

The firm would like to thank all counsel for there hard work. This was a great result and a great day for privacy rights in this State.