

Three Count Indictment Dismissed, April 9, 2001

On November 7, 2000, Ronald Richards was retained by Allen Boren, a defendant in a three count indictment alleging violations of 18 U.S.C. 1014 and 18 U.S.C. 1344, false statements to a bank and bank fraud.

At the time, Mr. Boren was in custody. His attorney at the time recommended Mr. Boren take a 30 month plea. Instead of going along with the plea, Mr. Boren retained Ronald Richards.

Over the next two weeks, Mr. Richards began a systematic attack on the charges. Richards first attacked the venue on one of the counts. The government voluntarily dismissed and superceded with a new three count indictment.

Next, Richards obtained bail for Mr. Boren prior to Thanksgiving. Next, Richards filed a motion to dismiss counts one and two of the indictment. The court issued a 18 plus page written decision granting the motion.

Mr. Boren's bail restrictions and cash bond were lifted and exonerated.

The matter was set for trial April 17, 2001. Both Boren and Richards were ready for trial. The government moved to continue the trial. The court denied the motion.

On April 9, 2001, the government moved to dismiss the remaining count. Mr. Boren, on the verge of pleading guilty and remaining in prison, walked out of court today, a free man with no felony.

In an interview with Mr. Richards after the hearing, he told the reporter that the central reason for the victory was the strong research of the legislative history of the statute exposing the expansive view of Federal jurisdiction taken by the government.

Once the court was convinced that the Federal government had exceeded its bounds, a dismissal was forthcoming.

This is the second time in four months that Richard has dismissed an indictment, pre trial. An impressive record for any Federal criminal defense attorney. You may review the case record by accessing Case No. CR-00-502(A). -----7d7271144168e Content-Disposition: form-data; name="section"  
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