



DOJ Asks Supreme Court to Uphold Military Imposter Law

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 6:47 AM August 22, 2011

Jurist on August 21, 2011 released the following:

“Daniel Richey

[JURIST] Attorneys for the US [Department of Justice](#) (DOJ) [official website] on Thursday asked the US [Supreme Court](#) [official website] to uphold a controversial law that makes it illegal to falsely claim to be a decorated military veteran. The [Stolen Valor Act](#) [text, PDF], enacted in 2005, makes it a federal crime for an individual to “falsely represent[] himself or herself, verbally or in writing, to have been awarded any decoration or medal authorized by Congress for the Armed forces of the United States, any of the service medals or badges awarded to the members of such forces, the ribbon, button, or rosette of any such badge, decoration, or medal, or any colorable

imitation of such item[.]” Violations are subject to fines and up to a year in jail.

The law has been challenged in federal courts in Colorado and California. The appeal to the Supreme Court comes in the case of [US v. Alvarez](#) [materials], in which the [US Court of Appeals for the Ninth Circuit](#) [official website] [declared the law unconstitutional](#) [JURIST report] last August. Although the panel conceded that Congress’s intentions were “praiseworthy,” it found that the law required courts to “extend inapposite case law to create an unprecedented exception to First Amendment guarantees” and was “not narrowly drawn” enough to survive First Amendment scrutiny. Alvarez was arrested after he gave a speech before the Three Valley Water District board of directors in California, to which he had recently been admitted, in which he claimed to be a retired marine and the recipient of the Congressional Medal of

Honor. In Colorado, the [US Court of Appeals for the Tenth Circuit](#) [official website] awaits arguments in the case of [US v. Strandlof](#) [ACLU materials]. Rick Strandlof was arrested in 2009 after he founded a veterans’ club in Colorado Springs and claimed to have been awarded the purple heart.”

To find additional federal criminal news, please read [Federal Crimes Watch Daily](#).

Douglas McNabb and other members of the U.S. law firm practice and write extensively on matters involving Federal Criminal Defense, INTERPOL Red Notice Removal, International Extradition and OFAC SDN List Removal.

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

Attorney Michael Richard Bark Charged in a Bill of Information with Wire Fraud

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

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The Federal Bureau of Investigation (FBI) on August 19, 2011 released the following:

“Gretna Attorney Charged with Wire Fraud of More Than \$1.6 Million
NEW ORLEANS— MICHAEL RICHARD BARK, 57, a resident of Gretna, Louisiana, was charged in a one-count bill of information with wire fraud, announced U.S. Attorney Jim Letten.

According to the bill of information, BARK, in addition to his law practice, also actively sought investors for trading in “FOREX” futures. The term FOREX refers to the practice of purchasing foreign currencies and attempting to profit from the daily variable values of the foreign currencies versus the value of the U.S.

dollar. Beginning sometime during November 2006 and continuing through February 2009, BARK devised a scheme to defraud while marketing FOREX investments by falsely representing to his clients that he invested their money in FOREX investments returning between twelve and thirty percent profit per month, thus increasing the value of their accounts exponentially. Instead of investing the funds as promised, BARK invested client funds in a variety of other business investments that were not authorized and that were without the knowledge of his clients, which resulted in a total loss of at least \$1,605,942 to his clients.

If convicted, BARK faces a maximum term of imprisonment of 20 years, a \$250,000 fine, as well as restitution to his victims.

U.S. Attorney Letten reiterated that a bill

of information is merely a charge and that the guilt of the defendant must be proven beyond a reasonable doubt.

The case was investigated by agents of the Federal Bureau of Investigation and is being prosecuted by Assistant U.S. Attorney Carter K. D. Guice, Jr.”

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Justice Department to Monitor Elections in Mississippi

(USDOJ: Justice News)

Submitted at 1:28 PM August 22, 2011

The Justice Department announced today

that it will monitor primary runoff elections on Aug. 23, 2011, in Bolivar, Noxubee, Tunica and Wilkinson Counties

in Mississippi to ensure compliance with the Voting Rights Act of 1965.