

KAPLAN MARINO

A CRIMINAL DEFENSE LAW FIRM
PERSONAL ATTENTION LEADS TO SUPERIOR RESULTS

October 16, 2009



Kaplan Marino defends persons and entities accused of criminal conduct in State and Federal Courts throughout the United States. The attorneys have defended white collar cases involving allegations of health care fraud, environmental crimes, embezzlement and insurance fraud. The firm also handles traditional criminal defense matters including but not limited to driving under the influence, theft crimes, violent crimes and narcotic cases. None of the firms attorneys have ever prosecuted anyone or been associated with any prosecutorial agency. The firms representation of doctors, lawyers, entertainers and other professionals has lead to a standard of handling every case discretely and with sensitivity to the needs of the client

Dear Richard,

We hope this email finds you well. We want to take this opportunity to share with you one of our recent successes, as well as an interesting change in the law.

SENTENCING DEPARTURE UPHELD

We are pleased to report that United States v. Whitehead, argued by Nina Marino, remains one of the leading Ninth Circuit cases on judicial discretion at sentencing in federal criminal matters. The time period in which the Attorney General could have sought Supreme Court review has lapsed. In Whitehead, a satellite piracy case, our client was sentenced to probation, house arrest, and community service, despite the government's vehement arguments for a 41 month sentence.

<http://www.ca9.uscourts.gov/datastore/opinions/2008/07/14/0550458.pdf>

Rehearing and Rehearing en Banc Denied

<http://www.ca9.uscourts.gov/datastore/opinions/2009/03/11/0550458o.pdf>

DUI LAW CHANGE

Governor Arnold Schwarzenegger recently signed two bills which in some cases will allow DUI offenders to shorten their suspension periods by placing an Ignition Interlock Device on their vehicle. This device requires the driver to breath into a mouthpiece prior to starting the car, as well as during the drive. If any alcohol is detected, the car will not be able to start. Some multiple offenders may have their suspension periods shortened by more than 50 percent due to this new law.

HERE TO HELP

We remain available to assist you, your clients, your friends or anyone with criminal law matters, large or small. Feel free to contact us with referrals, questions, or just to catch up.

All the best,
Nina Marino
Richard Kaplan

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