

GOVERNMENT REMAINS MUM ABOUT WHEN IT FIRST CHARGED ARBABSIAR AND FOR WHAT

Yesterday, I pointed out some oddities of the docket for Manssor Arbabsiar, the accused plotter in the Iran assassination plot. Most notably, the docket for this crime starts with the amended complaint. That indicated there was an original complaint. But the numbering on the docket—which starts with the amendment complaint—suggested the original complaint might relate to an entirely different crime.

bmaz called the court house to try to figure out the oddity. And court personnel did some checking—and consulted directly with the AUSA trying this case—they explained only that there had been a prior complaint in SDNY which Chief Judge Loretta Preska had approved having sealed. The court house offered no insight on when all this happened.

The government's unwillingness to unseal that original complaint is just another weird aspect of this case, as it suggests Arbabsiar might have been arrested for totally different charges. Or he might have been charged months ago.

To add the curiosity, consider this quote from Arbabsiar's public defender, Sabrina Shroff.

Mr. Arbabsiar, who has lived in Texas for many years, made a brief appearance in federal court in Manhattan on Tuesday afternoon, dressed in a blue checked shirt and with a pronounced scar on his left cheek. He did not enter a plea, but his lawyer, Sabrina Shroff, said after the hearing that "if he is indicted, he will plead not guilty." [my emphasis]

Arbabsiar's lawyer isn't sure he'll be indicted? She's not sure this will ever be presented to a grand jury?

That may indicate the government is already talking plea deal with Arbabsiar (and why not, since he's been chatting freely about this for two weeks and apparently would prefer to stay in jail than go free).

Which, if that were to happen, would mean—barring the unlikely extradition of Shakuri—none of this questionable evidence would ever be challenged by an antagonistic lawyer a nor evaluated by a jury.

And if that were to happen, then the whole wacky plot, with all its dubious aspects, would serve nothing more than to cause an international incident and keep Arbabsiar in US government custody, potentially on easier terms than the prison term he might have expected for whatever he was charged with in his first complaint.