

Alameda County Superior Court

Summit Defense Attorney Rabin Nabizadeh Fights PC422 Terrorist Threat Charges

Summit Defense senior trial counsel, Rabin Nabizadeh was quoted today praising the Oakland District Attorney's decision to dismiss the Oakland Bomb Threat case.

"Our client is innocent of any wrongdoing. We're pleased that the D.A.'s office has done the right thing and dropped all charges."

Prior to Mr. Nabizadeh's intervention, the Oakland defendant was facing multiple felony counts with up to two years of state prison exposure. The case was of particular interest to the Bar Area Criminal Defense Bar because of a recent spate of aggressive prosecutions alleging criminal threats.

Local defense lawyers like Mr. Nabizadeh, view many of these prosecutions as groundless.

"Ever since 9/11 I have noticed an hysteria surrounding threats that even vaguely resemble terrorist acts. The district attorney prosecutes these baseless charges as if they are fighting the war on terror. Charges are often filed under Penal Code 422 when there is no specific or immediate threat. It's a first amendment issue and I aggressively seek dismissals in these cases."

About Summit Defense

Summit Defense is a Northern California Criminal Defense Law Firm with offices in the Bay Area and Sacramento. Their accomplished team of trial attorneys includes two former prosecutors, a former police officer and attorneys who graduated from the country's top law schools. Their criminal defense attorneys handle the full spectrum of criminal defense cases with a focus on serious felony defense.

CONTRA COSTA TIMES

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Vallejo man charged in Oakland bomb scare

By Harry Harris and Angela Woodall
Oakland Tribune

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OAKLAND — A Vallejo man suspected of bringing two suspicious looking devices to the offices of civil rights attorney John Burris was charged today with two felony counts of possessing a false bomb to cause fear to someone, authorities said.

The two counts against Curtis Hepner, 39, are for incidents that happened Tuesday and Wednesday at 7677 Oakport St., where Burris has his office. Hepner could face up to two years in prison if convicted.

The Tuesday scare forced the evacuation of the entire 12-story building. A package Hepner left at the office turned out to contain wires and part of a radio, authorities said.

Hepner was arrested Wednesday in the building parking lot after unsuccessfully trying to bring a realistic looking phony pipe bomb to Burris' office, police said.

Calling the incident emotionally and financially costly, Burris said the charges were appropriate: "He created fear in the office amongst my staff and disrupted an entire workplace. You have to send a message to others who might consider that kind of activity that there is a price to pay."

Burris said he had no idea why he was targeted. The man dropped the first package at the front desk of

Burris' law office and left, the attorney said. When his staff tried to track the man down, he told them the package contained a tracking device, which the man refused to take with him as he continued his exit, Burris said.

A security guard alerted Burris' office when the man arrived a second time, giving his staff time to lock the office door and call police.

Even though Hepner never claimed the devices were bombs, those who saw them thought they were, said Assistant District Attorney Norbert Chu, who filed the charges.

Hepner refused to talk to police investigators.

Hepner was given three years' probation after a 2004 conviction for making criminal threats in Solano County, where he threatened a district attorney by e-mail, authorities said.