

LAW OFFICES OF
BROWNE & RESSLER

A PROFESSIONAL CORPORATION
EXCHANGE BUILDING
PENTHOUSE SUITE
821 SECOND AVENUE
SEATTLE, WA 98104-1840

JOHN HENRY BROWNE
ALLEN K. RESSLER

M. TIMOTHY DOLE
ASSOCIATE

TELEPHONE
206 424-7384
FAX
206 424-8228

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John Gregory Lambros
Reg. No. 00436-124
USP Leavenworth; P.O. Box 1000
Leavenworth, KS 66048-1000

Dear Mr. Lambros:

Although we provided him with no retainer for his work, Dr. Roberto B. Dias da Silva decided to respond anyway to our letter, in which we posed your questions about statutes of limitation and conspiracy charges under Brazilian law. Here are his responses.

Statutes of limitation (S.O.L.) are referred to in Article 109 of Brazil's Penal Code (*Código Penal*) as "*prazos de prescrição*," and would vary depending on what maximum sentence is associated with a particular charge. (Dr. Roberto mentions that statutes of limitation are cut in half when a defendant was younger than 21 years old or older than 70 at the time of the crime, but we presume that this principle would not help your case.) Cocaine consumption carries a sentence in Brazil of between 6 months and 1 year (Law No. 6368/76, Article 16), and the S.O.L. would run in 4 years. Cocaine trafficking is 3-15 years (Law No. 6368/76, Article 12), and the S.O.L. would run in 20 years.

As for conspiracy, Dr. Roberto says Brazilian jurisprudence does include this legal principle, referred to in Brazil's Penal Code as "*concurso de agentes*." In fact, conspiracy to distribute cocaine is specifically addressed in Law No. 6368, Article 14, and carries a sentence of 3-10 years and an S.O.L. of 16 years.

Although we have secured this information for you, we continue to doubt it will assist your present legal situation in any way. We do not have the Brazilian law school mailing addresses you requested, and have concluded more generally that we cannot assist you further with your case. We recommend you seek competent legal counsel in Kansas.

Sincerely,



Timothy Dole
Attorney at Law