

EXHIBIT 2 · CERTIFIED TRANSLATION

Closing argument of the defense

COURT: Khamovnichesky District Court of Moscow, Judge A.V. Lutov · CASE: No. 12301450020000355 ·
DEFENDANT: Michael Travis Leake · DELIVERED: July 9, 2024 · VERDICT: July 18, 2024, 13 years, strict-
regime colony

This is the certified English translation of defense counsel's closing argument, reproduced as translated; the translator's phrasing and spellings (including "Leak" and "Leakea" for Leake) are unchanged. Four names are redacted to protect private individuals: defense counsel, Travis's fiancée, the neighbor who served as an attesting witness at the search, and one other witness. Sheet references ("l.d.") are to the volumes of the court file. Officer and co-defendant names appear as they do in the public court record.

To the Khamovnichesky District Court of Moscow
to federal judge Lutov A.V.
lawyer [name redacted]
in defense of defendant Leakea Michael Travis

The speech of the defender in the court debate.

Leake Michael Travis is accused of committing crimes under paragraphs "a", "b", part 3 of Article 228.1, part 3 of Article 30 of paragraph "d", Part 4 of Article 228.1, paragraph "d", part 4 of Article 228.1, paragraph "d", Part 4 of Article 228.1, Part 1 of Article 228 of the Criminal Code of the Russian Federation.

Leake M.T. pleads not guilty.

The defense considers the charge to be illegal and unfounded on the following grounds.

1 The absence of irrefutable evidence of Leake M.T.'s involvement in criminal acts.

The materials of the criminal case contain and the indictment sets out evidence that the accused Grabanchuk carried out the sale of narcotic drugs.

Thus, the testimony of Ksenofontov's witness to the police concerns only those events that he observed in relation to Grabanchuk.

The information that he reported regarding Leakea's involvement either concerns Grabanchuk directly, or became known to him from Grabanchuk's words, or was also falsified by him in order, as the defense believes, to bring a foreign citizen to criminal responsibility due to the falsely understood interests of the service.

To one extent or another, these arguments are also valid in relation to the testimony of other police officers.

Written evidence: research certificates, expert opinions on the composition of narcotic drugs, inspection and seizure protocols do not in themselves indicate the relevance of these indications to the Leak, since they can also be associated only with the defendant Grabanchuk.

I draw the court's attention to the fact that in volume 1 on l.d. 6 there is a protocol of personal inspection of Grabanchuk, according to which her mobile phone "iPhone 12" was seized on June 05, 2023 at 10:32 a.m.

Further on, l.d.12 contains the protocol of inspection of this phone, dated the same day at 21:00.

Photos of bookmarks in the amount of 70 pieces from the phone gallery are attached to the inspection protocol on l.d.14 and further, as indicated in the protocol. There is also a PIN code.

By the way, there are much fewer photos in the case, probably it is suggested to take your word for it.

So what do we see, what options do police officers have if everything goes in a legitimate way and is conducted legally?

Police officers have a girl detained red-handed, ready to give incriminating testimony to the second accomplice.

Employees have access to the phone, no one prevents them from looking at messengers, correspondence, to find out how often the girl contacts the exposed person.

Next, the girl writes a statement about her desire to assist police officers in exposing the person with whom they are jointly selling narcotic drugs.

The papers are processed procedurally in accordance with the provisions of the Federal Law "On Operational Investigative Activities" and operational investigative measures are carried out, for example, "Surveillance".

Based on the fact that in addition to the photo gallery, no significant information was withdrawn from Grabanchuk's phone, it can be reasonably concluded that the phone did not contain any incriminating Leak evidence.

For the purposes of a thought experiment, we can assume that all necessary correspondence was deleted, either by Grabanchuk herself or by Leak, but this does not prevent operational investigative measures from being carried out in accordance with the law.

For example, from the very moment I entered this case, I was internally interested in the question: why not do it the way every operative likes to do: turn on the recording and ask Grabanchuk to call Leak. One call, a well-constructed dialogue, and voila - you have all the evidence of involvement. They can do it, they were taught this, there are no rules at all, everything can be organized and executed in half an hour.

Next, Grabanchuk tells you that they do not communicate by voice, conduct another experiment: let her get in touch with Leak via messenger.

He will write to him, or send him a new (conditionally) photo with bookmarks and coordinates. You can observe the reaction of the interlocutor, enter into correspondence with him (which police officers also often like to do), in general, get quite obvious evidence of the involvement of a particular person and the connection with this particular detainee (Grabanchuk) person.

None of this is being done.

At the same time, during the personal inspection, Grabanchuk, as recorded by the operative Yakushkina, did not name the name and other data of the person who allegedly gave her these drugs. Grabanchuk does not deny that she owns narcotic drugs, indicates the involvement of another person, why not immediately enter his name in the protocol? Then she can also refuse to name him, from the point of view of the operational staff, you need to immediately squeeze out all the necessary information

– no, no one does such actions. It doesn't matter, like, who told her there and what.

On the same day, two inspections of the scene of the incident are carried out at the addresses: Frunzenskaya embankment, 50, entrance 6, where 4 parcels were seized according to the protocol, and entrance 8, where 5 parcels were seized. Let me remind you that 5 parcels were seized from Grabanchuk during a personal search in one place, 15 in another. I'll come back to this later.

And again, in none of the two protocols of the inspection of the scene, compiled by the senior investigator of the Ministry of Internal Affairs of Russia for the Khamovniki district of Moscow, Taukenov, there is no explanation from Grabanchuk that she was given these narcotic drugs by Leake M.T., although such explanations in the text of the protocol are standard practice.

Why not fix all this in the protocols?

I deliberately make references to the fact that as soon as the documents on the initial procedural actions are drawn up by persons other than Ksenofontov, these documents do not contain any references to Leak, even through the explanations of Grabanchuk. As soon as Ksenofontov appears, the surname Leake immediately appears in the text.

According to Grabanchuk's testimony announced at the hearing, "Travis Leake transferred funds to my bank card" (volume 1, l.d.65). Does it really seem strange to me that the operational staff and the investigation did not check these statements in the simplest way – through bank statements?

It would seem – what could be simpler? The absence of such, the simplest, most primitive evidence of Leak's involvement leads me personally to believe that there is no such evidence, therefore there is no involvement.

We are looking at the search protocol vol.1 l.d.93.

The seized iPhone 13 Pro Max belonged to [his fiancée], and was subsequently returned to her.

A black iPhone mobile phone was seized from Leakea during the search.

This phone is not only not attached to the materials of the criminal case as material evidence, but is also missing. Along with him, by the way, the evidence that Leake could have presented in his defense disappeared.

The question arises: do we often have thefts of mobile phones seized from suspects? They probably happen sometimes. But then those persons who carried them out must answer in the future.

At least, in this court session, we again identify signs of another crime, and, as I understand it, all the same persons who have already passed the first procedural check in the Investigative Committee are under suspicion.

There are no conspiracy theories here, and such things can be explained simply: the phone, which, it would seem, could contain important correspondence between Leakey and Grabanchuk, or his correspondence with some drug lords from Colombia (if you try to follow the version of the

investigation), simply disappeared.

According to the resolution on the recognition and attachment of material evidence (vol. 2 l.d.162), the specified phone number did not seem to exist. [the neighbor witness], a witness, confirmed at the court hearing that she was "shown everything" during the search: she also signed in the search report, where the phone number is indicated.

Moreover, [the neighbor witness] studied the search protocol at the court session, confirmed her signatures, however, to a direct question from the state prosecutor, she explained that she did not know whether Leake had signed the protocol (00:28:20, hereafter links to those files that were issued to the defense by the court at the request), although her signature in the search protocol is it is under the record of Leak's refusal to sign.

However, the rejection record does not occur by itself. The witness records that the refusal was made, and the witness says that he does not know anything about it.

This means that either the record of Leak's refusal to sign was made after the signatures of the witnesses, or the witness simply does not pay enough attention to what she signs, and what she should record with her signature at all.

The question arises: what is the procedural meaning of the participation of such a person who signs everything that is slipped to her? Yesterday she signed the search, today the opposite testimony, tomorrow she will sign anything. This person cannot confirm or deny anything. At the same time, [the neighbor witness] has a dislike for Leak, which they both essentially confirmed at the court hearing. This person is not a representative of the public in its legal sense, since he cannot be absolutely free from a subjective assessment of Leak's actions. For the defense, this is obvious even by the fact that she blindly signed everything that the investigation handed over to her.

Your Honor, as follows from vol. 1 l.d.109, it was you who checked the legality and validity of the search, and with your signature recorded, among other things, what was seized during it.

Now, it turns out, this court decision itself is being questioned.

Interestingly, the witness Ksenofontov answered the direct question of the defender, whether the witnesses appeared before the discovery of narcotic drugs, or after (audio recording 0:11:00): "I was on adrenaline, at that moment I can't answer." Then the witness explained that he was allegedly misunderstood, but the question sounded direct and the answer sounded also direct, despite the fact that the witness answers very vividly and confidently, which is not surprising, because he has relevant experience.

The understood [the neighbor witness] explained at the hearing that she was not present at the seizure of narcotic drugs, which in itself confirms the position of the defense that law enforcement agencies falsified evidence during the detention.

The defense claims that an important defense evidence was missing from the criminal case, which could confirm the absence of compromising information from Leak, and the presence of such correspondence with the same Grabanchuk, which (correspondence) could indicate Leak's non-involvement in the deed. After all, if, according to the investigation, he deleted everything, why hide this phone and withdraw it from the criminal case?

Witness Ksenofontov drew up a search report in which the phone seized from Leakea indicated, and at the hearing confirmed his previous, announced testimony, which did not contain an indication of the phone volume 2 l.d.124-128 (audio recording 00:39:40).

Surprisingly, the prosecutor did not bother with this before approving the indictment a question.

As I understand it, no one raised this issue in court either.

This fact itself not only confirms the general position of the defense that there is and could not be any evidence incriminating Leakea, but also, as we believe, should direct the court in the appropriate direction to evaluate the evidence presented by such operatives.

Too much was wrongfully happening in this case, which cannot be kept silent, and which cannot be ignored.

At the same time, evidence appeared in the case that should not be there.

I would also like to draw your attention to the fact that based on the search protocol, contrary to generally accepted practice, it is only directly indicated where exactly (on the table) the narcotic was found, which Leake recognized immediately. Otherwise, it is not reported in which rooms of the apartment and in which places other drugs were found. What is the reason for such a generalized, non-specific perception of the investigation of this situation is unknown.

Witness Ksenofontov also did not explain at the hearing where the drugs were specifically found (audio recording 0:14:50). "In the room" is too vague a message, despite the fact that the exact location of narcotic drugs is not indicated and, for example, a photo recording of the search has not been performed, that is, we do not have the position of the prosecution in those moments that are disputed by the defendant, where the drugs were specifically seized.

I would like to draw your attention to the fact that when Grabanchuk showed the places of bookmarks, they were all indicated with meticulous accuracy, and this is the very standard of proof that the defense refers to.

It follows from public data sources, including videos on the Internet, an NTV report, that Leake independently opened an apartment. There was a video recording, but it was not presented in the case, and in fact it could have removed all questions regarding the course of this search. Why did the investigation hide this record? The answer is obvious to us: because during the search there were things that should not be shown.

However, one of the things was shown on the TV channel: no, not drugs at all, but a photo of the detainee against the background of some sex toys. Obviously, this was done for one purpose: the public humiliation of the Leak, which in itself is torture in the understanding of international principles and norms. Does anyone doubt that those who commit such acts would have avoided using other illegal methods of influencing a detainee?

According to Article 9 of the Code of Criminal Procedure of the Russian Federation, during criminal proceedings, it is prohibited to carry out actions and make decisions that humiliate the honor of a participant in criminal proceedings, as well as treatment that humiliates his human dignity or creates a danger to his life and health. None of the participants in criminal proceedings may be subjected to violence, torture, or other cruel or degrading treatment.

It has been publicly confirmed that the participants in the detention violated one of the basic principles of the criminal process. What doubts are there that they are ready to violate all the others? I don't have any.

I also draw the court's attention to the fact that at the court hearing, the understood [the neighbor witness], nevertheless, explained that she was not present at the discovery and seizure of narcotic drugs in Leakea's apartment (00:13:22 – audio recording "Drugs were shown to me").

The phrases "Employees showed me drugs", "When I entered, they showed me" confirm the Leak's version, and not the version of law enforcement officers. The witness cannot confirm where the drugs were found, as they were presented to her in fact.

Moreover, the witness confirmed that her son, the second victim, also saw exactly what she saw (00:29:37 "He can only say the same thing as me." 00:31:15 "Did the son see the same circumstances as you? – Absolutely").

All this, I want to note, corresponds to Ksenofontov's testimony at the court hearing regarding the fact that the witnesses did not enter the apartment immediately.

Further, the understood [the neighbor witness] reported at the hearing only about the narcotic drug that Leake recognized immediately, as well as a blue pill that a police officer showed her.

Yes, the prosecution has the right to claim that the witness confirmed the data from the search report, but we have already noted that she is clearly not fully receptive to the written information contained in the protocol.

Dear court, even if we take as a basis only the fact that the witness confirmed that everything specified in the protocol was seized during the search, first of all, we insist that these indications be taken into account in the part of the seized second iPhone black phone belonging to Leak.

Secondly, the defense has a reasonable question: why do we need such an understanding? Understood is a representative of the public, who is called upon to objectively and impartially record the ongoing investigative actions.

Employees come in – perform investigative actions – witnesses observe, and then confirm signatures in the protocols.

I will not be afraid of these words, but at the court session we all managed to make sure that the narcotic drugs indicated in the interrogation protocol were seized and found in Leakea's apartment.

Even Leake himself knows this. The question is exactly how and at what point in time some of these substances ended up in the apartment. Leake consistently claims that some of the narcotic drugs – one bookmark and MDMA were planted by the police officers who tortured him – and it is for these two substances that no document or testimony contains a specific place and circumstances of their seizure. The logic of the construction of our thoughts fully confirms the version of protection.

From the initial testimony of Leakea from the interrogation protocol of June 08, 2023 (volume 1, l.d.161), it follows (I will allow myself a small quote, because it is important):

"After that, Veronica and I arrived home, and she began packaging this substance. After that, she took the "bookmarks" weighing 80 grams, and I kept the rest for myself. On the morning of 06/05/2023 Veronica had to lay out bookmarks. She and I have shared notes on the phone where she indicated the coordinates of the places of "bookmarks". At some point, she stopped contacting me, and I thought something might be going wrong.

After that, I immediately started deleting correspondence in telegram, general notes, and the geolocation of my phone. 06.06.2023 when I realized that she was not at work and was not at my house, I decided to remove everything illegal in my opinion, because I suspected that police officers might come to me. I'm tired of making money this way, and my friend and I have a plan on how to make money legally."

First of all, it's obvious that real people don't say that. From the protocol, it is clear that the testimony was "adjusted" to the current situation in which the operatives found themselves: Leake opened the door to the police on his own, while having only those drugs that he used himself (they were lying on the table, and this is not denied by anyone).

But the investigation needs to somehow justify the absence of significant Leake, in particular, correspondence, so phrases arise in the protocol: they say, Leake committed crimes, but there is no evidence - because he decided to destroy everything, suddenly reformed. It's surprisingly simple if someone is willing to take it on faith in a lawsuit.

Secondly, there is some legal dissonance here, which has not yet been resolved within the framework of a logical assessment of the evidence in the case in the form of relevant prosecution arguments.

If Leake, being involved in the sale, suspected that police officers would arrive at him, and allegedly began to delete all unnecessary correspondence and destroy evidence, then for what reason did Leake keep with him what was seized during the search, I quote: powder in a polymer bag (seized powder from the table), a blue tablet in the package, a substance wrapped with black duct tape.

And there are only two options, dear court: or we clearly recognize that the testimony set out in the interrogation protocol is absolutely imposed by the investigation and does not correspond to reality, as Leake explained at the hearing: it is impossible, under any logic, to imagine that the person knew that the police would come to him and deleted everything, but something it decided to leave it anyway, while it opened the door to the police itself in order to present the available evidence - narcotic drugs: then the court would be obliged to consider such incredible actions as a confession (Article 142 of the Code of Criminal Procedure of the Russian Federation); or we must agree that the substances indicated in the form of a bundle and tablets did not originally exist in the apartment, and were, as explained by Leake, planted on him during unlawful detention, during which torture and other illegal methods were used against him. In this case, the option in which Leake opened the door to the police and let them into the apartment, without paying attention to the drugs that were on the table (in a microscopic dose), looks logical and reasonable. In addition, in this case, the defense position seems absolutely irrefutable that Leake did not participate in any issues that Grabanchuk was involved in, did not expect any search and did not see any obstacles to police access to the apartment.

Ultimately, he could have stayed in the apartment until the police broke down the door, but this did not happen. He could flush the drugs down the toilet, throw them out the window, anything. He didn't do it. If you believe the position of the prosecution – which is absolutely inexplicable.

The fact that Leake opened the door himself was explained by witness [the neighbor witness] during interrogation at the court session (00:14:36 – to the question of the defender: "He opened the door himself").

In fact, there is also a third option, which the defense insists on: both Leak's testimony, as set out in the initial interrogation protocol, is incorrect, and those drugs that Leake pointed out at the court hearing were planted on him. And all the contradictions are caused by the very incompetence of the operational staff, even in such a primitive case as falsifying the evidence of the prosecution.

At the same time, the defense realizes that we are using ordinary logic and some indirect evidence here, because it is very difficult in our law enforcement system to prove that there are bad operatives (although, it would seem, there are enough examples of proven cases).

Therefore, we urge the court to look at the fact that it is not the version of law enforcement officers that contradicts the Leak's version, but the version of law enforcement agencies submitted to the court contradicts itself in evidence.

Small details: in this interrogation at l.d.163, Leake allegedly says that all information about the drug store is available on the computer that was seized from him. During the search, a computer and several hard drives were seized. Is there any information from them in the end? Well, obviously, if there were, the investigation would have brought them to court.

Again, there is a dissonance: either Leake did not give such testimony, or there is no information about the drug store. That is, even the version of the investigation is implausible. Our position is that the readings are incorrect, and there is nothing on the disks. It's obvious.

By the way, at the court hearing, the defendant Grabanchuk showed:

"There is an Excel spreadsheet in the computer where all purchases are dated, there are nicknames of buyers" (01:55:00). The question is: where is the computer and the expertise of its internal (software) part?

Why have the most important investigative actions not been carried out?

Let's take the expert opinion, volume 2, l.d.218, which describes those drugs that were allegedly seized from Leakey at home.

A bundle of strips of black and brown polymer materials with an adhesive layer, denied by Leak, was seized, inside there is a gray metal product with magnetic properties and a transparent "sled" type package. That is, it is an ordinary "bookmark" magnet.

In volume 2 on l.d.218, the expert's conclusion contains a description of the very bookmark found in Leakea's apartment: a bundle of ribbon segments, black and brown, a gray metal product weighing 1.28 g.

In volume 2 of l.d.190, the expert's conclusion contains almost the same description of the four bookmarks removed from entrance 6.

In both entrances, as reported by Grabanchuk, she made 5 bookmarks.

Including in the 6th entrance, from which only 4 were subsequently withdrawn.

The defense is convinced that these bookmarks together were the same five bookmarks that Grabanchuk originally laid in the entrance 6.

"He couldn't have had so many drugs at home. I know that he did not have drugs in such quantity, I took all the bookmarks, the maximum that could remain was on the tablet with which he used" (01:06:40) – Grabanchuk's testimony at the court session, which in this part cannot be ignored, even if the court decides in principle trust her testimony.

Grabanchuk took all the bookmarks. But then, for some reason, exactly the same bookmark that she took away turns out to be at Leakey's house again, who, according to the explanations of the same Grabanchuk, had not left the house at all by that time. Again, Leake allegedly, based on initial testimony, explained that he knew that the police were coming to him, but decided to keep three types of drugs at once (in form/content).

We insist that these and other statements in which the accused Leake allegedly admitted his guilt were not written by him, he signed his signatures, being under pressure, which he himself stated earlier. The defense does not consider it necessary to re-state all the circumstances that the defendant stated during the trial, I believe that everything was presented in sufficient detail and convincingly.

The accusation is based on the testimony of the accused Grabanchuk, which cannot be reliable on the following grounds.

The defendant Grabanchuk, questioned at the hearing, as follows from the audio recording of the trial, explained that she made bookmarks with mephedrone, after which she was detained.

On the same day, she reported that she was paired with Leak, he provided her with substances, and she made bookmarks.

Grabanchuk explained that she was detained not on June 05, 2023, but on June 04.

During the interrogation of witnesses, Ksenofontova and Koroleva Grabanchuk did not ask any questions in this part, which indicates all the signs that Leake claimed from the very beginning: violations by law enforcement officers and the defendant's humble, even repentant behavior based on the humanity of the court, because it depended on these employees, will they confirm to the court the provision of active assistance in identifying an accomplice to the crime, or not.

Ksenofontov took her phone before a personal search.

Of course, no one will know what he did to him there.

At the personal search, as witnesses, there were acquaintances of the police, as it seemed to the defendant Grabanchuk, from the bakery opposite.

Her initial testimony on June 04, 2023 was made up of Xenophon and Korolev.

At the hearing, Grabanchuk explained that Leake did not blackmail her in any way, and it was the operatives who told her to initially report more in this part, that is, in fact, they forced her to give deliberately false testimony.

She did not say that Leake was involved in the manufacture of drugs.

For testifying against Leakea, Ksenofontov promised her a pre-trial agreement.

Can the people who arranged this use other illegal investigative methods?

Quite.

Can a person as fickle in testimony and weak in opposition as Veronika Grabanchuk continue to be held captive by her own fears and give false testimony, denouncing Leakea in favor of the operatives who promised her a mild punishment? And that's quite enough.

Nevertheless, at the hearing, the defendant Grabanchuk still explained that there were numerous injuries, traces of blows and scratches on her legs at the confrontation at Leak (01:03:30).

To be honest, I have not seen reports from the accused for a long time that literally the investigative actions indicated by all protocols on one day were actually carried out on another.

By itself, this fact should already amaze and make us treat the testimony and procedural documents drawn up by Ksenofontov with great suspicion.

Why keep Grabanchuk in the department for an extra day, because it is logical to speed up the process and decide on her accusation as soon as possible? For protection, it is obvious why. In this case, a "special subject" suddenly appeared, a foreign citizen, for whom operational staff now have "special assignments", which any professional lawyer in this room understands, and Grabanchuk explained that the fact of her acquaintance with an American citizen was extremely interested in operatives.

2 Procedural violations committed.

According to paragraphs 3, 5 of Part 1 of Article 220 of the Criminal Procedure Code of the Russian Federation in the indictment, the investigator indicates:

- the crime scene;
- a list of evidence supporting the accusation and a summary of their contents.

As follows from the indictment, the investigator indicated the place as the address: Moscow, Komsomolsky Prospekt D.5/2. The name of the avenue, which is not found in the directory of Moscow.

References to exactly the same address are found when presenting evidence (I refer only to the text of the conclusion, not to the evidence itself):

- testimony of witness [a witness],
- protocol of inspection of the scene of the incident dated 04/13/2023,
- protocol of checking testimony on the spot dated 06/08/2023,
- information about the study No. 12/14-1373 dated 04/14/2023,
- physical evidence
- and even the incident card "02".

You can say: it's not good, but it's just a typo. However, the fact remains that the indication of the crime scene does not correspond to the real one.

Moreover, it was then thoughtlessly copied about 20 times to various places of the indictment, which underlines how carelessly the entire procedure of the preliminary investigation was carried out – a kind of quintessence of illegality.

Whether it is necessary to return the case to the prosecutor with such a problem is a rhetorical question, there is no doubt, however, that the prosecutor himself, if he saw this at the investigation stage, would return the case to the investigator without hesitation. And I would also say a couple of affectionate words to the investigator.

The defense only draws attention to the fact that this instruction is found in the indictment 22 times, which demonstrates the main position of law enforcement agencies in the case: neither the investigator looked at this error, nor the prosecutor checked, leaving the court to consider for itself the question of how the rights of the defendant Leakea M.T. to protection by such an incorrect indication are respected.

I would like the court to take this circumstance into account in a comprehensive assessment of the case materials.

In addition, it is necessary to find out what is the date of the commission of the act imputed to Grabanchuk, because at the hearing the defendant indicated that the crime was terminated on 06/04/2023, contrary to the instructions in the indictment.

3 Motives.

With such accusations, the defense realizes that there must be certain motives involved.

We can only make our own assessment.

Anyone who has watched public and open reports on the detention of Leakea M.T. is able to understand what the point is.

American. In the current political environment, we all understand one way or another that this is exactly the kind of victim of the system for which any operative will receive some kind of reward one way or another.

From here, TV cameras appear during detention and stunning fictional indications that Leake is an American soldier, although he has never been to Iraq. And this was reported during the arrest by the NTV channel, which, of course, became aware of this from Ksenofontov and his comrades.

Moreover, Leake itself has nothing to do with politics.

And persuading a girl in a difficult life situation to fulfill all the requirements in return for a reduction in punishment is a simple matter on the part of the operatives.

In fact, I am like a third-party defender, but as a human being, I will only be glad for the lenient punishment of the defendant Grabanchuk. However, I would like this to happen not at the cost of replacing justice with its surrogate.

"They were slightly euphoric," the defendant Grabanchuk said at the hearing regarding the reaction of police officers to the detention of Leakea, and it is generally clear to everyone why.

4 Conclusion.

Your Honor, this case is the result of human mistakes on the one hand, and human dirty tricks on the other.

Anyone who has been working in the system for any amount of time understands that all these oddities and inconsistencies cannot be a simple coincidence. And even if there is not much direct evidence for this, I think time will show that the accusations made against specific employees were not groundless.

Whether it's in this case or any other, it doesn't matter.

The investigator of the IC in the Khamovniki district, Tsomartov, told Leak during interrogation in the pre-trial detention center that Ksenofontov had been hunted for a long time by the investigation and the USB, because the number of complaints exceeded the critical mark. On the one hand, this fact pleases me, on the other hand, it upsets me, because in such a strange case, no one wanted to find out the truth until now.

Ksenofontov is still saved by the fact that the next detainee is an American.

However, the fact remains that we are grateful to the court for the fact that a procedural check was appointed. We believe that this means that the court also doubted the quality of the investigation.

However, in its current form, verification is meaningless.

What did the UK investigation do? Interrogated the perpetrators of the celebration themselves, as if hoping that one of them would admit what they had done.

Leake himself has not been interviewed. What prevented me from calling him for a survey as part of the check, well, apparently, I was interfering with them on my own.

Medical documentation has not been requested, although this is the only objective evidence that there was torture. At the same time, we see the initial phase of torture even on video.

Well, what is the point of such a check? Is it that it has been formally carried out? Perhaps only in this. But this has nothing to do with law and justice. In the presence of a bunch of contradictions, all our attempts to demand the evidence that could confirm our version run into indifference.

This check does not confirm the version of the investigation in any way.

Moreover, the absence of any attempts to satisfy the protection requests only confirms our version.

We also see that the investigation also pretended to organize its own inspection even before sending the case to court (volume 3, l.d.50-51), but the results of it were not submitted to the court, everything was done "for show". If there were grounds to conduct an inspection, materials were allocated – where are the results? Once again, we come to the logical conclusion that the absence of verification results is the best proof of Leak's innocence, because what else is the point of hiding them, not conducting an inspection, not submitting medical documents?

According to Part 3 of Article 14 of the Criminal Procedure Code of the Russian Federation, all irremediable doubts are interpreted in favor of the accused. In this case, doubts are such, since the appearance of any evidence in favor of the defense is resisted by the law enforcement system. If this were not the case, all the certificates would be in the file. A lawyer would have been called. The understood one would have been interrogated. The computer has been investigated. Bank statements have been received. ORM – conducted. Recordings and other evidence of Leakea's connection to drugs were found in the phone. Drugs would have been seized in the presence of witnesses and with the indication of specific places of seizure in the apartment with the fixation of these places by witnesses.

I can go on further, but in fact I'm already finishing.

Being a lawyer, I try to defend the judicial system everywhere in communication with colleagues, to point out that despite all the shortcomings, we still have the opportunity to show and uncover the shortcomings and even criminal actions of individual elements of the system.

However, such cases, if they take place in court, will be an additional confirmation of the unspoken truth of recent times: the bar of proof in criminal cases is really lower than civil and arbitration cases, whereas it should be exactly the opposite.

Part 1 of Article 75 of the Code of Criminal Procedure of the Russian Federation states: "Evidence obtained in violation of the requirements of this Code is inadmissible. Inadmissible evidence has no legal force and cannot be used as the basis for an accusation, as well as used to prove any of the circumstances provided for in Article 73 of the Code of Criminal Procedure of the Russian Federation."

This norm cannot remain a simple declaration.

No one conducted any investigation, did not examine the physical evidence seized in the apartment, did not try to compare, for example, a bookmark from the apartment with others, while unknown persons stole the defendant's phone Leak, compiled testimony that in court to one degree or another, as a result, refute ALL the subjects who gave them: and cooperating with As a result, Grabanchuk, who denies everything to Leak, and even the formally independent [the neighbor witness], who clearly has no sympathy for Leak, reported those things that directly contradict the search protocol.

That is, no one wanted to do anything. Any garbage (I'm talking in a purely procedural sense) is thrown by the investigation into the court in order for us to sit here for months and find out the circumstances in a fairly standard case.

And even the procedural check could not be carried out properly, neither the defender was called, nor medical documentation was requested – a few objective confirmation of the defense version, thus, in fact, deprived of the opportunity to refer to the evidence that indicates innocence.

But the court is not a cesspool.

We have already gone far enough: bribes on testimony, fraud on civil contracts, and now – for sale without MPas and generally at least some evidence of involvement. Even those who are now understood, who would be eyewitnesses to the seizure, are not needed. It is enough just to invite them in fact to see what the police officers brought to the apartment.

Soon, it seems, we will be left without a drug examination, there will only be certificates.

I am far from thinking that with this one case we will change anything in our judicial system. But it is in your power, dear court, to begin this progressive and correct movement.

I ask the defendant to acquit Leak due to the absence of a crime event.

Sincerely, lawyer [name redacted], 09.07.2024.