

## **Law Office of Leif Kleven Prevails at Ninth Circuit Court of Appeals**

### *Order Imposing Sanctions on Attorney Reversed*

San Diego, CA ([PRWEB](#)) July 31, 2015 -- A three judge panel of the Ninth Circuit Court of Appeals ruled that the U.S. District Court for the Southern District of California abused its discretion by imposing sanctions on a criminal defense attorney who issued a subpoena to a cooperating co-defendant's attorney according to memorandum filed July 28, 2015.

Court filings reflect that the Law Office of Leif Kleven represented the sanctioned attorney and that in June 2014, a U.S. district court judge ordered Mr. Kleven's client to pay sanctions in an amount of \$1,000.00. That order was explicitly reversed by the Ninth Circuit on Tuesday. The Law Office of Leif Kleven successfully argued to the appellate court that its client did not act vexatiously or with an intent to harass by issuing the subpoena.

The court's ruling notes that sanctions should be reserved for "rare and exceptional cases," and that the facts of this case did not reach that level. "We are thrilled with the outcome," said attorney Kleven. "This case was important, not only for my client, but for the entire defense bar. Imposing sanctions on an attorney on these facts would have set a dangerous precedent and hindered effective advocacy."

According to court documents, the district court issued an order to show cause after the attorney brought a motion to prevent enforcement of the subpoena in *United States v. Rico*, case number 13-CR-00472. The district court imposed sanctions in June 2014, which was stayed pending outcome of the appeal. In July 2015, Kleven argued the merits of the case before the Ninth Circuit in Pasadena, CA. The court issued its memorandum decision on July 28, 2015, in case number 14-50280.

### **About Attorney Leif Kleven**

The Law Office of Leif Kleven represents individuals in criminal defense proceedings in federal court in San Diego and Southern California. In 2015, Mr. Kleven was named to Top 100 Trial Lawyers by The National Trial Lawyers. He also maintains a 10.0 rating, out of ten by Avvo. In addition, Mr. Kleven represents victims in personal injury causes of action. For more information or to schedule a free consultation, please contact Mr. Kleven at (619) 796-3680. The Law Office of Leif Kleven is located at 701 B St., Ste. 1105, San Diego, CA 92101. Mr. Kleven's website is <https://www.leifkleven.com>.



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