

Pellicano allowed to defend himself; The private investigator facing racketeering and wiretapping charges dismissed his attorney because the courts wouldn't pay him.

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Tossing a legal hand grenade into an already-contentious case, celebrity sleuth Anthony Pellicano on Friday demanded and won the right to act as his own lawyer in his upcoming trial on wiretapping and racketeering charges.

U.S. District Judge Dale S. Fischer tried to talk Pellicano out of his plan, but he would not relent.

"I urge you to let me appoint counsel for you," Fischer implored in federal court in downtown Los Angeles.

"You're very kind, your honor, but no, thank you," Pellicano said.

The ruling added another unexpected turn to a case that has rocked Los Angeles' legal and entertainment communities. Pellicano was once one of the city's most successful private detectives and for years had worked on behalf of marquee names in Hollywood and legal circles, gathering secrets to help sway court and business affairs in his clients' favor.

The specter of an untrained self-advocate in a complex, high-profile case raised sharp concerns among some court observers. One cited the trial of Lynette Alice "Squeaky" Fromme, who insisted on exercising her constitutional right to defend herself on charges of trying to shoot President Ford in 1975, only to turn the courtroom into a circus.

"It's a very foolish thing to do," said Peter Keane, former dean of Golden Gate University School of Law in San Francisco. "Usually you're consigning yourself to failure. It creates nightmares for judges. Judges and prosecutors hate it."

Most lawyers for Pellicano's six co-defendants declined to comment on the record. But while some saw catastrophe, others cited the defendant's stellar career as a private detective in suggesting he might be effective.

"It affects the whole case," one lawyer said. "You have to address his silly motions. If the government is taking up time answering frivolous motions, it's time they are not spending providing your discovery."

"I don't know what happens with Anthony when he gets up to do his opening statement," another lawyer said. "Does he waive his 5th Amendment privilege [against self-incrimination]? I don't know which way it cuts, in terms of benefit to the prosecution or the defense."

Pellicano, one of seven defendants in the complicated federal case, had been represented by San Francisco attorney Steven F. Gruel without charge. Pellicano wrote to Fischer that he released Gruel because he believed it was unfair for him to continue working gratis.

Pellicano has already been declared indigent and qualifies for court-paid counsel, which is normally selected from a list of qualified lawyers maintained by each federal trial court in California. Lawyers familiar with the case said Gruel is not on the list, and Fischer was reluctant to appoint him.

The judge cleared the courtroom and held a 15-minute closed-door session with Pellicano and Gruel before publicly allowing the former private detective to represent himself.

Lawyers uniformly praised Gruel as a top attorney and said his loss would be difficult. Several lawyers and observers suggested other defendants may decide to seek separate trials, adding to delays. The trial is scheduled for this summer.

Several suggested Pellicano will find it impossible to review all the evidence before trial. Massive amounts of electronic records were seized from Pellicano's computer system before his arrest. Being incarcerated, his options are limited, lawyers said.

Keane said that while Pellicano has "assured his own conviction," the effect on other defendants "could go in a number of directions."

"If Pellicano is an abrasive, arrogant, obnoxious person, it could be a godsend for the other defendants. He could deflect all the antipathy towards himself," Keane said.

Half a dozen defendants have pleaded guilty in the broad Pellicano investigation, including a Hollywood filmmaker and a former record executive, both of whom admitted lying to the FBI about hiring Pellicano to wire-tap rivals.

Gruel said he would rejoin the defense if and when Pellicano asks. In the meantime, he said his former client "could do a pretty darn good job. He knows the issues and he knows the facts better than anyone."

“After 40 years of experience, he has a practical knowledge of how the legal system works,” Gruel said.

On Friday, Fischer ended the hearing by telling Pellicano, “If you change your mind, let me know.”

“Yes ma’am,” responded Pellicano. “I know exactly what you mean.”

If convicted of all 108 counts in the federal indictment -- including wire fraud, identity theft, computer theft and possession of wiretapping devices -- Pellicano could get up to 625 years in prison and \$26.75 million in fines.

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