

Swiss Deportee to File Claims Against His Lawyers, Federal Marshal for Malpractice, ‘Entrapment’

By Natalie Posgate

(April 26) – A Swiss businessman may soon be filing a malpractice lawsuit against the federal public defenders who represented him in a criminal bankruptcy fraud case, a recent letter to a federal appeals court indicates.



**Rudolf
Suter**

Rudolf Suter, a previous Dallas resident and the former CEO of Irving-based PFO Global, said he intended to file the suit in a letter he wrote to the U.S. Court of Appeals for the Fifth Circuit.

He wrote the letter to inform the court he was with-drawing his appeal of his sentence entered in November by U.S. District Judge David Godbey. The judge sentenced Suter, who at the time had already been in U.S. Custody for 11 months, to time served. The judge also put him on supervised release and ordered Suter’s deportation back to Switzerland.

Suter says in the April 13 letter that he will file an “ineffective assistance of counsel” claim against his public defenders, Gabriel Reyes and Stephen Green. Suter says they induced him to plead guilty to bankruptcy perjury last May “by means of fraud and deception with threat of a harsher

punishment if taken to trial; action that a prudent attorney would not have taken.”

He also claims his attorneys “repeatedly disregarded material evidence” for his case and “negated to present the material evidence to the courts.”

The bankruptcy fraud case is tied to a civil judgment in which Suter owes a Florida businessman around \$3 million. Long story short, Suter has done a number of things to avoid the civil judgment that lawyers for his courtroom opponent, Peter Denton, say hurt him more in the long-run.

Among those actions are filing for Chapter 7 bankruptcy to delay the civil judgment proceedings; lying on his bankruptcy filing about bank accounts he had closed in the last several years; continuing to disregard court orders once the civil case resumed; and boarding a flight to Europe instead of attending a contempt hearing in Judge Godbey’s court to discuss the said disregard for court orders.

These actions resulted in Suter getting arrested by the U.S. Marshal service when he finally did return to the U.S. after spending nine months as a fugitive; being held in U.S. custody for 11 months; pleading guilty to perjury in his bankruptcy case; and now, being deported to the U.S.

Besides his complaints against his public defenders, Suter claims in his letter to the Fifth Circuit that the DOJ attorney who prosecuted his bankruptcy fraud case, David Jarvis, conspired with Denton in the separate civil case “in order to fabricate a criminal case” against him. He also claims that the U.S. marshal who arrested him in New York’s JFK International Airport “entrapped” him “with lies” that lured

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him to return to the U.S. “in order for him to serve a ‘civil warrant,’” the letter says.

Dallas attorney Bob Allen, who represents Denton and his company, Harvest Investors, minced no words on what he thought about Suter’s letter.

“When people wonder why there is a backlog in our federal courts, they need to look no further than this,” Allen said. “From Switzerland, Suter files a frivolous appeal for a conviction after he gets out of jail. Now, he makes a malpractice claim against his federal public defenders, who he was lucky to have in the first place.

“Here he is again draining the precious resources of our court system.”

Suter decided to withdraw his appeal of Godbey’s November sentence after his appellate public defender, Jerry Beard, withdrew from the case after determining that Suter had no grounds

**Bob
Allen**



to support an appeal, finding “no legally non-frivolous basis for an appeal,” according to a filing from last month.

The Fifth Circuit wrote to Suter on Monday, telling him to file his petition against his public defenders with the U.S. District Court.