

At Blumenthal Law Offices our experienced, litigation-focused attorneys handle a broad range of criminal cases. We pursue the best possible outcome for every client, whether that means preventing the DA from filing charges, negotiating a favorable plea bargain, or asserting and protecting the client's constitutional rights through a jury trial. Here are some examples of the types of outcomes that our efforts have secured for past clients.

FIREARMS / WEAPONS

People v. William N.

William, a retired police officer, was arrested for brandishing his pistol after an altercation at a local bar. At jury trial we were able to show that his actions had been in lawful self-defense and William was found Not Guilty. (Tried by Attorney Virginia M. Blumenthal.)

People v. Leroy J.

Leroy, a police officer, was arrested and charged with brandishing his pistol after an altercation on the freeway with another driver. At jury trial we were able to show that his actions had been in lawful self-defense and Leroy was found Not Guilty. (Tried by Attorney Virginia M. Blumenthal.)

People v. Eahab O.

Eahab was accused of brandishing a firearm after a road rage incident. Facing felony charges and the possibility of losing his Second Amendment rights, he retained us to fight his case. At his jury trial we attacked the credibility of the accuser and exposed the weaknesses of the police investigation. Eahab was found Not Guilty of the brandishing charge, and was convicted only of reckless driving.

People v. Greg M.

Greg suffered a conviction for misdemeanor battery after a minor incident in a San Bernardino parking lot. He handled the case himself and thought it was behind him. Fast forward a couple of years and the California Department of Justice stops by his house to ask him about some guns that are registered to him. Greg cooperates and shows the agents his various (legal) firearms and ammunition. Imagine his surprise when the agents then seize the firearms and arrest him for being a "prohibited person" with a firearm.... Once retained, we gathered the plea forms and transcripts from the San Bernardino court case to show that he was NEVER advised that his conviction for battery would trigger a 10-year ban on gun ownership in California. We worked with the DOJ agents and the District Attorney and were able to prevent charges from being filed against Greg. Furthermore, we even arranged for the Department of Justice to release Greg's firearms and ammunition to us for safekeeping (with Greg's permission) until his 10-year ban expired.

MAC-10 Incident

We were contacted by a citizen who discovered an illegal machine gun in some property that s/he had taken possession of. We were able to use our contacts with local law enforcement to act as a middleman for the surrender of the firearm with no arrest or prosecution.

People v. Graham B.

Graham is an avid hunter and successful businessman. After participating in a youth outreach hunt, he threw his field bag into the closet without cleaning it out. About a week later he grabbed the field bag to use as a carry-on as he headed out the door for a family hunting trip. Upon reaching the airport he checked his hunting rifles and ammunition as required and proceeded to security to board the plane. The TSA agent quickly noticed something that Graham had not ... a box of ammunition left over from the youth hunt the week prior was still in the field bag. He was cited for the crime of bringing ammunition into a sterile area of an airport and allowed to go on his way.

In court we presented the San Bernardino District Attorney with information to help them understand Graham's unthinking oversight, but they were unmoved and refused to deviate from their "Zero Tolerance" policy of not plea bargaining those cases. With nothing to lose, we aggressively litigated the only issue available to us, which was whether or not the screening area is actually a "sterile area" of the airport. We forced the airport authority to come to court to admit that they would not provide us (or the District Attorney) with the specific security plan for that portion of the facility. Without that information, the prosecutor's case became much less compelling. The matter was resolved with a plea bargain ... to an infraction for Disturbing the Peace. So much for zero tolerance.

People v. Pat R.

Pat has had quite a life. In his youth, Pat picked up a couple of felony convictions, including one case in which he pled guilty to being a felon in possession of a firearm. Time passed and Pat grew up, putting his law-breaking years behind him. After his father died, Pat took over management of the family gun range. Due to his felony convictions, Pat went to great lengths to keep guns and ammunition out of his possession, relying on the advice of a civil attorney to stay "legal." [Narrator: It wasn't.] Pat was arrested after the Department of Justice conducted an investigation into the known felon who was managing a gun club. We were able to show the prosecutor that Pat was relying on legal advice when he decided that he could run the business and that he had done everything in his power to stay on the good side of the law. All felony charges were dropped.

People v. Tracy W.

Tracy was charged with brandishing a knife at a car on the freeway after a road rage incident. Our investigation established that this was a case of mistaken identity. We provided statements of alibi witnesses to the prosecutor and showed that he could not have been at the location of the alleged incident. The case was dismissed by the DA.

People v. KH

KH was a highly decorated combat veteran. He had been diagnosed with service-related PTSD and had developed his own coping mechanisms to fight his mental health issues on his own terms. These mechanisms included the possession of certain military-grade weapons within his home and self-medicating with controlled substances. Suffering from a PTSD episode that he was unable to control on his own, KH spread gasoline through his family home and threatened to ignite it. In spite of his issues, KH had the support of his former command and took ownership of his actions. Against the strong opposition of the district attorney we convinced the Veterans Court to give KH a chance. KH took advantage of the opportunity and became a model for all future Vet Court participants.