

Bout's Trial Will Start in U.S. in September

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Alla Bout leaving a New York court after her husband's hearing on Friday. **Brendan McDermid**

NEW YORK — A lawyer for Viktor Bout, the Russian businessman accused of offering to sell weapons to a terrorist group, said she would challenge the U.S. government's case on the grounds that it has no jurisdiction to prosecute him in the United States and that it violated Thailand's laws when it recorded him on the day of his arrest.

Sabrina Shroff, a court-appointed attorney, told U.S. District Judge Shira Scheindlin of her plans Friday as the judge set a Sept. 12 trial date for Bout. Bout's wife and mother were in court, and he winked at them as he entered court.

Bout, 43, was extradited to the United States from Thailand two months ago to face conspiracy charges that accuse him of agreeing to sell powerful weapons to the Revolutionary Armed Forces of Colombia, also known as FARC, classified by Washington as a narco-terrorist group. He has pleaded not guilty.

He was arrested in March 2008 at a Bangkok hotel after a U.S. sting operation using

informants who posed as FARC officials. He was accused of agreeing to smuggle missiles and rocket launchers to the FARC, and conspiring to kill U.S. officers or employees. A conviction could bring a mandatory minimum 25-year prison sentence.

Shroff said Bout could not be prosecuted in the United States because none of the alleged crimes occurred here.

"It's a manufactured jurisdiction," Shroff said.

"There is a nexus here," Assistant U.S. Attorney Brendan McGuire told the judge.

Shroff also said she would challenge the government on the grounds that a 90-minute audio recording made during a meeting on the day of his March 6, 2008, arrest violated Thai law.

McGuire said the recordings were made in coordination with Thai authorities.

Shroff said she would also seek to have statements her client made to authorities on the day of his arrest suppressed.

The judge called the legal challenges "serious and difficult" and set a schedule for them to be submitted to the court.

Bout has been accused of supplying weapons that fueled civil wars in South America, the Middle East and Africa, with clients ranging from Liberia's Charles Taylor and Libyan leader Muammar Gadhafi to the Taliban government that once ran Afghanistan. He was an inspiration for an arms dealer character played by Nicolas Cage in the 2005 film "Lord of War."

The Russian government has complained that his extradition was unlawful and political.

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