

HON. LOUIE GOHMERT
FIRST DISTRICT, TEXAS



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Congress of the United States
House of Representatives
Washington, DC 20515

April 6 in the Year of our Lord 2011

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Holder:

I write about the criminal case and sentencing of Sholom Rubaskin. Mr. Rubaskin was found guilty by a jury in the U.S. District Court for the Northern District of Iowa on multiple counts of bank fraud. He was sentenced to 27 years in prison on June 21, 2010.

While I defer to you as to the full details of the case, news reports have raised two facts that warrant your investigation.

First, a Freedom of Information Act request by Mr. Rubaskin's attorney following sentencing disclosed that the trial judge was the same judge who participated in detailed ex-parte communications with prosecutors and federal agents on an immigration raid of the plant managed by Mr. Rubaskin. The raid led to the financial fraud charges on which Mr. Rubaskin was convicted. These discussions between the judge and federal officials were not disclosed during the Rubaskin trial.

Second, six former U.S. Attorneys General and a number of U.S. Attorneys have questioned whether the length of Mr. Rubaskin's sentence is consistent with the federal sentencing guidelines on white-collar crimes. The length of Mr. Rubaskin's sentence is longer than that of similar white-collar criminal defendants, including former Enron CEO Jeffrey Skilling.

In order to ensure that justice is being served, I respectfully request that you investigate Mr. Rubaskin's sentencing and the ex-parte discussions between the judge and government officials in preparation for the raid.

Thank you for your prompt attention and response in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Louie Gohmert", written over a white background.

Louie Gohmert
Member of Congress

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