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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SANTA ANA DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

16 vs.

17 ADAM DANDACH,

18 Defendant.

} Case No.: SA CR 14-109-JVS

} DEFENDANT'S OBJECTIONS TO
PRESENTENCE INVESTIGATION
REPORT

21 Comes now Defendant, ADAM DANDACH, by and through counsel, and for his
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23 Objections to the Presentence Investigation Report states:

24 Probation Officer Joseph Abrams is to be commended for the thoroughness of the
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26 Presentence Investigation Report.

1 The undersigned received the Presentence Investigation Report on 14 October
2 2015 and it was given to Mr. Dandach that week for review. The undersigned met
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4 with Mr. Dandach at the Santa Ana Jail in Santa Ana, CA and went through the
5 Presentence Investigation Report paragraph by paragraph with Mr. Dandach. He
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7 advised the undersigned which objections he desired to make to the report. The
8 following objections are made with Defendant Dandach's knowledge and at his
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10 behest.

11 **OBJECTIONS**

- 12 1. Defendant objects to date of arrest list at July 3, 2015 under "Release
13 Status" on page 1. Defendant was arrested on July 3, 2014.
- 14 2. Defendant objects to paragraph 11 and states a continuing objection to the
15 date of designation of "ISIL" as a Foreign Terrorist Organization.
- 16 3. Defendant objects to paragraph 13 and objections to statement "Beginning in
17 approximately November 2013.....Dandach knew that ISIL was a
18 designated FTO and had engaged in, and was engaging in, terrorist activity
19 and terrorism." As established at the mitigation hearing, ISIL and/or ISIS
20 was not designated as an FTO in November 2013 so it is impossible for Mr.
21 Dandach to have known either group was a designated FTO as neither had
22 been designated at that time. Mr. Dandach further objects to the statement
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24 "Dandach further knew that ISIL's goal was to intimidate and coerce a
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1 civilian population, influence the policy of a government by intimidation and
2 coercion, and affect the conduct of a government by mass destruction,
3 assassinations, and kidnappings.” Mr. Dandach objected strongly during his
4 mitigation hearing to the suggestion that he knew of the full nature of ISIL
5 or ISIS prior to his arrest in July 2014. Mr. Dandach further objects to the
6 language of “mass destruction” as there has been no evidence given or
7 agreed to that ISIL or ISIS have been engaged in “mass destruction”. As the
8 government is aware, in 2013, the group known as ISIS/ISIL was a local
9 insurgency whose stated intention was to overthrow first, the government of
10 Iraq, and later, the government of Syria. These were local insurgencies
11 involved in civil war in the respective geographical areas of these countries
12 without ambitions beyond those borders. President Obama famously,
13 publically declared that serious threat of terrorism from this region had been
14 quelled and he derided these groups as mere “junior varsity” pretenders.

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21 4. Defendant objects to paragraph 14 and states that in December 2013, ISIL
22 and/or ISIS was not a designated FTO and so he could not have traveled to
23 Syria for the purpose of aiding a designated FTO at that time. Defendant
24 further states his plans in December 2013 were to join a charitable aid
25 convoy.
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1 5. Defendant objects to paragraph 22. There is no evidence in the record that
2 Defendant's sister deleted any posts of Adam Dandach and despite the
3 government conducting a comprehensive search of Defendant's electronic
4 media, no evidence has been discovered that would support these
5 allegations.
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8 6. Defendant objects to paragraph 29. Prior to his arrest, the group known as
9 ISIS/ISIL had been engaged in local insurgencies to overthrow the
10 governments of Iraq and Syria. The fact that they were added to the list of
11 Foreign Terrorist Organizations (i.e. published in the Federal Register) in
12 May 2014 by the US State Department is sufficient factual basis for the
13 confessed crime, even if Defendant was hoping to provide nothing more
14 than charitable work within the areas controlled by this organization. It is of
15 significant relevance that ISIS/ISIL was not engaged in the wanton killing of
16 civilian prisoners and combatants that made extraordinary public outcry until
17 after Defendant's arrest. It was after Defendant's arrest when the Jordanian
18 pilot was set on fire. It was after Defendant's arrest that certain prisoners
19 were executed. It was after Defendant's arrest that the Christians were
20 martyred on the beach of Libya. It was after Defendant's arrest that the
21 caliphate actively promoted global jihad and killings were carried out, if not
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1 under the direction, giving credit to the Islamic State as an act in furtherance
2 of their stated global agenda.
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4 7. Defendant objects to paragraph 34 because he had been told by his mother
5 that she had disposed of his passport. The falsehood in the passport
6 application stemmed from his statement that he had inadvertently discarded
7 the passport when his understanding and belief was that his mother had
8 disposed of it. Had he known it was still in the house and available to him,
9 he never would have applied for its replacement, he simply would have
10 looked for it diligently in their small apartment.
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14 8. Defendant objects to paragraph 49 and states his objection to the Statement
15 that he expressed a desire to “seek revenge for his incarceration and asks
16 other Muslims to come to his aid” as an inaccurate summary of his poetry
17 and writings. In truth and in fact, the poem in question acknowledges that
18 “revenge will come when you are standing in front of God.” This belief is
19 universally held by people of all faiths and seeks no personal revenge or
20 justice upon any person or group.
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24 9. Defendant objects to paragraph 70 in that he suffered from obesity until he
25 was 19 years of age.
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1 10. Defendant objects to paragraph 73 and states he has never actually been to
2 a shooting range with his brother and has never actually fired, or even held,
3 a handgun in his life
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5 11. Defendant objects to paragraph 76 as it fails to mention part of his “coping”
6 mechanism includes his writings which are viewed as therapeutic and a
7 means to give voice to the issues he grapples with yet he adamantly rejects
8 the killing of innocent lives and perceives such actions as against the
9 teachings of his religion.
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11 12. Defendant objects to paragraph 102. His poetic expressions were taken out
12 of context and the criticism ignores the fact that they represent a voice, and
13 not necessarily his own voice, and quite explicitly state they are from the
14 point of view of the perpetrators, and they should not be attributed to his
15 personal feelings or tendencies.
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19 WHEREFORE, Defendant hereby files his objections to the Presentence
20 Investigation Report and requests a Hearing where the Government would be
21 required to carry its burden to prove the conclusions contained in the PSR.
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25 /s/ PAL LENGYEL-LEAHU
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27 Pal Lengyel-Leahu
28 Attorney for Defendant Dandach _____