

A REPORT AND REQUEST FOR INVESTIGATION
TO THE
HONORABLE ATTORNEY GENERAL OF THE REPUBLIC OF PANAMA
and
NATIONAL TRANSPARENCY COUNCIL AGAINST CORRUPTION

ESTATE OF WILSON C. LUCOM

Wilson C. Lucom died in Panama in the year 2006 with an Estate that could be worth in excess of \$50 Million. Lucom's Will was filed with the Panama Probate Court and as a result of two interpretations of the Will, Richard S. Lehman, Lucom's Florida attorney and friend for 31 years was appointed the sole Albacea of Lucom's Estate on July 5, 2006 and then confirmed as one of three Albaceas on May 4, 2007 by the First Superior Court for the First Judicial Circuit, Panama. Though three Albaceas were appointed in the Will, as a result of differing judicial interpretations, only Lehman was appointed by the Panama Courts as the actual sole Executor.

Very shortly after Lehman was appointed the sole Albacea, the widow of Wilson C. Lucom, Hilda Lucom, who is well provided for in the will, attempted to nullify the Will and deny Lehman's ability to act as the Albacea in this Estate. Hilda Lucom claims the entire Lucom Estate for herself and nothing for the principal heirs. The principal heirs of the Estate are the most vulnerable segment of Panama's society. The Estate is dedicated to spending millions of dollars to feed the poor children of Panama. Hilda is 87 years old and suffers from both Parkinson's disease and heart disease. Certain members of Hilda's family have actually been promoting the litigation.

Immediately after the Will was filed and Lehman was appointed the Albacea; and continuing through the day of this letter, solely because Lehman was appointed to the position of Albacea in this Estate, there has been an attack on him personally. He has been the only person legally empowered and entitled to stop the nullification of the Will and he has successfully done this in spite of these attacks. That is why the attacks continue.

The method used to stop Lehman involved the corruption of Panama's criminal justice system to threaten both Lehman and his Panama attorneys and falsely arrest both him (twice) and one of his Panama lawyers.

Furthermore, on August 12th, 2009, it was proven that this case also involved the corruption of Panama's civil justice system, which illegally prevented Lehman from carrying out his duties as the Executor of Lucom's Will. This was confirmed again by the Panama Courts in a ruling in this case on October 12, 2009. This time the corruption led to the serious detriment of Panama's starving young children.

This civil corruption has been much more harmful than the false criminal charges aimed at Lehman personally. As a result of improper rulings, for years a Panama judge in the Fifth Civil Circuit Court of the First Judicial Circuit, Panama (the "Probate Judge"), has improperly prevented Lehman from acting in his legal position as the appointed Albacea in the Estate of Wilson C. Lucom.

On August 12th, 2009, a Panama Superior Court ruled that the Probate Court Judge's rulings violated Panama's inheritance laws. If these improper rulings were allowed to remain the law, Panama's entire legal system of inheritance would have been rendered useless.

On October 12th of 2009 that same Superior Court ruled that an indicted Panama Judge had unconstitutionally prevented Lehman from acting as the Executor of the Estate for over three years.

As a practical matter these improper rulings by the Probate Judge have prevented anyone from properly protecting and preserving the Estate of Wilson C. Lucom for over three years. More importantly, it has meant that no one was able to use Lucom's fortune to feed Panama's children as the Will of Wilson C. Lucom insists upon.

According to UN statistics as a result of these false rulings, the delay could have meant the unnecessary deaths of over 500 Panamanian children from malnutrition and diseases resulting there from.

Attached are two Document Files that describe both the criminal and civil abuses of the law.

Document File No. 1 (Criminal Justice System – Unconstitutional Actions)

The first document is a Petition that was filed by Lehman with the Inter-American Commission on Human Rights, Organization of American States. Its 29 Exhibits catalogue each one of the numerous criminal and unconstitutional violations of Lehman's rights in Panama.

Petition Alleging Violations of the Human Rights of Richard S. Lehman by the Republic of Panama. With a Request for an Investigation and Hearing on the Merits and Request for Precautionary Measure Under Article 25.1 of the Commission's Regulations.

The Human Rights Lawsuit was filed in response to two false arrests of Lehman in Panama from February 6th through February 9th, 2009. The Human Rights action was not filed to harm Panama. It was Lehman's only means of protection in a foreign country where Lehman's arrest could be ordered even though only weeks before he was cleared of any charges by all of the members of the Panama Supreme Court.

Document File No. 2 (Probate Judge – Civil Justice - Unconstitutional Actions)

The second Document is an Amparo and its related exhibits. The Amparo requests relief from unconstitutional actions against Lehman by the Panama Probate Court. It documents the violation of Lehman's constitutional rights and was filed in the First Superior Court on September 10, 2009. It is based on a ruling issued by the First Superior Court of Panama issued on August 12, 2009.

This August 12th, Opinion and the Amparo catalogue each one of the numerous civil and unconstitutional violations of Lehman's rights in Panama. **On October 12th, 2009 this Amparo was granted.**

The Proven Facts

A short summary of information provided by the combined Document files No. 1 and 2 reveals the following series of events:

1. June 6, 2006, Wilson C. Lucom passed away leaving a Will and appointing an Executor. (The "Will").
2. The initial Executor, appointed as a sole Executor of the Estate of Wilson C. Lucom, was Richard S. Lehman, ("Lehman"), Lucom's friend and lawyer of 31 years. Lehman was appointed Executor on July 5, 2006 by the Panama Probate Court. Richard Lehman was later confirmed as Executor by the Panama Superior Court on May 4, 2007 with two additional Executors.
3. On August 18, 2006, the widow of Wilson C. Lucom, Hilda Lucom, filed a legal action to nullify the Will of Wilson C. Lucom asking that Lucom's entire estate be left to Hilda Lucom.

In this nullification action Hilda Lucom was represented by the law firm of Infante & Perez Almillano.

ABUSE OF CRIMINAL SYSTEM

4. On September 11, 2006, within weeks after the filing of the attempt to nullify the Will, Hilda Lucom falsely charged Lehman with the Crime of Intentional Homicide of Wilson C. Lucom. This was completely dismissed by the Panama Second Superior Court of Justice, Panama, with a definitive and impersonal stay of proceedings. Hilda Lucom in a sworn deposition in Florida, (that is on video disc), stated she had no knowledge whatsoever that she filed a murder charge against Lehman.

In this false murder charge, Hilda Lucom was represented by the law firm of Infante & Perez Almillano.

At the same time that the false Intentional Homicide allegation was filed against Lehman and continuing thereafter, Lehman was also falsely charged with numerous other multiple criminal charges in addition to Intentional Homicide.

These included:

5. The False Accusation of the Crime of Negligent Homicide;
6. The False Accusation of the Crime of Aggravated Assault;
7. The False Accusation of the Crime of Forgery of Documents;
8. The False Accusation of the Crime of the Illegal Exercise of a Profession;
9. The False Accusation of the Crime of the Unlawful Association to commit Crimes;
10. The False Accusation of the Crime of Perfidy;

In all of these false accusations of various crimes, Hilda Lucom was represented by the law firm of Infante & Perez Almillano.

Hilda has testified under oath and on video that she has no knowledge of several of these false accusations against Lehman.

Additional false crimes filed against Lehman by Hilda included:

11. The False Accusation of the Crime of Falseness;
12. The False Accusation of the Crime of Aggravated Swindle;
13. The False Accusation of the Crime of Fraud;
14. The False Accusation of the Crime of Swindle;
15. The False Accusation of the Crime of Theft;
16. The False Accusation of the Crime of Property Crimes Against the Estate of Wilson C. Lucom;

In these false crimes against Lehman, Hilda Lucom was represented by the law firm of Infante & Perez Almillano.

In late 2006, while these false crimes were being pursued against Lehman and false arrest warrants were being issued against Lehman,

17. Lehman reported to the Panama authorities that Hector Infante, the attorney for Hilda Lucom told Lehman he would pay Lehman \$2 - \$3 Million for Lehman to resign as Albacea.

This was never investigated by the Panamanian authorities.

In the year 2007, Hector Infante, himself, on a personal basis filed false accusations against Lehman. These were the false crimes of:

18. False Accusation the Crime of Extortion;
19. The False Accusation of the Crime of Slander.

In these false accusations, Hector Infante, personally, was represented by the law firm of Infante & Perez Almillano.

No Valid Crimes

At this point it is important to note that each and every one of the 15 false crimes charged against Lehman and the 5 false arrests issued against Lehman were all thrown out by the Panama Higher Courts. Several of them were considered as unconstitutional charges by the Higher Courts. Not a single alleged crime against Lehman proved to have any merit whatsoever. They were filed to destroy him as the Albacea and for no other reason.

Two Unique Sets of False Crimes

In fact, two of the sets of false crimes and false arrest warrants issued against Lehman are particularly unique in their abuse of the criminal justice system. Both of those sets of crimes managed to keep Lehman out of Panama for almost two years (with an interruption of only a week). Both crimes continue to be treated by numerous branches of the Panamanian government as crimes in spite of their dismissal by the highest courts in the land.

These two false and dismissed criminal allegations took a life of their own. To this day one continues to threaten Lehman. These two sets of crimes have been used to threaten both Lehman and his lawyers in the following manner:

Hector Infante – Personally – Extortion and Slander.

The first unique set of false crimes charged against Lehman was Extortion and Slander.

The false criminal allegation filed against Lehman for extortion and slander was filed personally by Hector Infante, who is being represented by the Law Firm of Infante & Perez Almillano.

These false criminal charges filed personally by Hector Infante, were eventually dismissed by all nine Justices of the Panama Supreme Court. The Court stated in its dismissal:

. . . in the Court's judgment, . . . the factual and legal bases in support of the preventive detention order against Richard Sam Lehman and the probative elements that thus far have been provided in the investigation are not sufficient to establish there is a crime . . .

Based on the foregoing, The Supreme Court of Justice En Banc, administering justice on behalf of the Republic and as vested by Law . . . Declares Illegal the preventive detention of Richard Sam Lehman. . .

20. Nevertheless, only weeks later, Lehman was falsely arrested and held overnight under armed guards in Panama on the same charge that had been dismissed by the entire Panama Supreme Court.

The false arrest resulted from the crime that had been alleged by Hector Infante personally.

The False Crime of Theft Against the Lucom Estate

As stated, several false charges were made against Lehman, only weeks after his appointment as Albacea. Lehman was falsely charged for the crime of defrauding the Estate of Wilson C. Lucom and other related crimes.

On November 21, 2007 all of these crimes were dismissed by the Second Superior Court of Justice in the First Judicial Circuit. In dismissing these crimes, the Panama Superior Court said:

With regard thereto, it is pertinent to note that the authority who issued the arrest warrant in the case of Mr. Richard Lehman has not fulfilled the requirements set forth in Article 21 of the National constitution, as well as requirements in Articles 2140 and 2152 of the Judicial Code so that the application of the precautionary measure, which is of an extreme nature,

can be deemed to be legal; . . . [that is] the punishable able act or the involvement of the person whose arrest is ordered has not been clearly shown.

In accordance with the foregoing, the only thing that remains for the court to do is to proceed to find that the arrest warrant issued for Richard Lehman is illegal, and we shall entertain that hereinafter.

22. After the false crimes of defrauding the Estate were completely dismissed by the Superior Court, the outdated and overruled arrest warrant that had been improperly issued for those crimes was sent via fax transmission to the Panama branch of Interpol with instructions for enforcement by Interpol.

The illegal arrest warrant named Lehman and Lehman's lawyer, Victor Crosbie as dangerous criminals. As a result of this fax, Interpol illegally placed Lehman and his Panama lawyer on a Red Notice Alert naming them as dangerous criminals in 186 countries. Lehman's lawyer was in fact falsely arrested by Interpol and then later released with apologies. Lehman to this day does not know if this false Interpol listing has been properly corrected so that he can travel freely throughout the world.

The fax of the false arrest warrant was not sent to Panama Interpol from the offices of the Panama Prosecutor. The fax to Interpol was sent from the offices of the attorney for Hilda Lucom, the law firm of Infante & Perez Almillano.

In these false criminal accusations that led to a false arrest, Hilda Lucom was represented by the law firm of Infante & Perez Almillano.

23. On February 9th, 2009 this same set of false crimes that had been overruled by the Superior Court on November of 2007, and had been used for the false Interpol Alert were again misused to falsely arrest Lehman for a second time in Panama and detain him from leaving the Country of Panama by the Panama Immigration authorities.

This detention order still remains in force by the immigration authorities to keep Lehman out of the country and prevent Lehman from doing his job as the Executor. Lehman is the only person who has needed to be cleared of the same crime twice.

The law firm seeking to continue the false detention order against Lehman was the law firm of Infante & Perez Almillano.

Document File No. 2.

ABUSE OF THE PROBATE COURT

The First Document File and the Human Rights Lawsuit explains all of the abuses of the Panama Criminal justice system described above with substantial evidence to prove each charge.

The Second Document file is a set of Documents which is attached as Document File No. 2. These documents will explain to the reader the violations of the human rights of the poor children of Panama by a single Judge in the Fifth Civil Circuit, (the "Panama Probate Judge").

The violations of Lehman's constitutional rights by this Judge prevented Lehman's right and obligation to use Lucom's funds to feed the poor and malnourished children of Panama for these last three years.

24. The main documents in Document File No. 2 are an Amparo filed by Lehman's attorneys on September 11th, 2009 with the First Superior Court of Justice of Panama and the Court's granting of this Amparo on October 12, 2009. This Amparo was filed in response to a recent legal opinion by Judge Eva Cal of the First Superior Court. This opinion issued on August 12th, 2009 was in response to the Probate Judge's illegal appointment of an Administrator for the Estate of Wilson C. Lucom.

The Amparo and its acceptance by the Court prove beyond a doubt that the Panama Probate Judge illegally and unconstitutionally prevented Lehman from meeting his responsibilities as an Albacea.

The Amparo shows a clear violation of Lehman's rights as an appointed Albacea. A violation that has hurt many, not just Lehman. The opinion on which the Amparo relies is instructive on how insidious the Probate Judge's ruling is. The Judge's rulings in the Lucom case ignore a clear Panama Statute and as a practical matter have led to the financial rape of the Estate of Wilson C. Lucom.

Furthermore, this same Probate Judge is under indictment in another case in Panama for similar improper rulings. See attached. It is also understood that there are multiple charges against the Probate Judge for improper rulings from the bench. Nevertheless, he continues to sit on important cases where his rulings can and do result in life and death.

To make matters worse, for the first time in this case an illegal ruling by a Panama Judge has spilled outside of Panama's borders. The unconstitutional Panamanian Order No. 952 issued by the Probate Judge was introduced as

evidence in a Florida courtroom and has now poisoned the legal system of the United States.

On August 12th, 2009, the Panama Superior Court ruled that the Probate Judge had no authority to rule on Lehman's appointment as the Albacea. The Court in essence stated on several occasions that since the appointment of Lehman, as the Executor was on appeal, it was illegal for the Probate Judge to rule on anything involving the Executor.

Now then, it is true that in Order No. 1025 dated July 5, 2006 the Judge . . . appointed RICHARD SAM LEHMAN as the executor, and that said order was appealed and the appeal was granted . . . the lower court judge may go forward with the proceeding; however, only with respect to what does not necessarily depend on the appealed order.

. . . Therefore, then, if what was appealed was specifically the appointment of the executor, the trier of facts [the Probate Judge], cannot do anything relating to the appointment of the executor because he would be usurping competence and violating Article 1138 paragraph 3 of the Judicial Code.

In spite of the fact that this was the law, the Probate Judge made the following ruling about Richard Lehman in Order NO. 952.

The undersigned FIFTH CIVIL JUDGE OF THE FIRST JUDICIAL CIRCUIT OF PANAMA, DECREES the NULLITY of the installation of Executor, RICHARD SAM LEHMAN in the testate estate proceedings of the late WILSON CHARLES LUCOM, and, therefore, ORDERS TO RENDER WITHOUT EFFECT all which he might have done by virtue of said office.

In commenting on the pure illegality of Order No. 952, the First Superior Court made the following comment about Order No. 952 before sending the case back to the Probate Judge for reconsideration:

Pursuant to Order No. 952, as we have said, the [Probate Court] judge issued a decision on a motion to decree the nullity of the taking of office of the position of Executor by Mr. Richard Sam Lehman, and therefore, dismissed everything that he would have done by virtue of such position . . . it is true that the said Motion is absolutely baseless and nullifies legal matters without specifying what these are, and without hearing the opposing party on the said legal matters . . .

The law firm filing the baseless motion that led to the illegal Order No. 952 that poisoned the U.S. Court was the law firm of Infante & Perez Almillano.

There is every reason to believe that the illegal Order No. 952 that was issued in response to a “baseless motion” was issued solely to be misused in a Florida legal case against Lehman.

This “absolutely baseless” order, Order No. 952, was introduced in a Florida Court action against Lehman. **Panama Probate Judge Order No. 952 became, in the words of a Florida Judge, the “irrefutable evidence”** that was the basis for the Florida Judge’s Florida ruling that has destroyed Lehman’s reputation built up over 40 years. It substantially harmed his ability to protect Estate assets.

Relying on Order No. 952, the Florida Judge ruled that since Lehman was not properly appointed as the Albacea in Panama and everything he did was declared void, Lehman was therefore not properly appointed to defend Lucom’s Will regarding Florida assets. This was ruled in spite of the fact that Lehman has successfully defended the Lucom Will and spent millions of dollars of his own money doing so. Thus the Florida Judge ruled that Lehman was a fraud who defended Lucom’s assets without any legal power to do so.

This Order No. 952 is the Order that was held to be unconstitutional by the Panama Court on October 12, 2009.

Now with the Panama Court Ruling that proves that the Panama Probate Court Order No. 952 was illegal and unconstitutional, Lehman has filed to vacate the judgment against him and will take all other steps necessary to overturn this judgment.

Lehman’s unblemished reputation as an “A” rated attorney that has never been reported to the Bar, and never sued for malpractice and as a pillar of his community has been ruined. Even the overturning of this Order by a higher Court in Florida will never bring back that sterling reputation.