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Advisor's indictment may help Wesley Snipes

By Stephen Hudak, Orlando Sentinel

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The government's arrest today of a New York investment advisor should help Orlando-born actor Wesley Snipes' ongoing bid to overturn his tax-related convictions and avoid prison, the movie star's former lawyer said.

Kenneth Starr, a New York investment advisor whose client list included "Goodfellas" director Martin Scorsese, "Kill Bill" actress Uma Thurman and "Rambo" star Sylvester Stallone, was arrested by U.S. agents who accused him of running an alleged investment fraud that bilked big-money investors out of \$30 million.

Starr, 65, also was a key government witness against Snipes in 2008 when the star of the "Blade" science-fiction trilogy was tried on conspiring to defraud the Internal Revenue Service and dodge income tax.

"Now we know the lead witness against Wesley, Mr. Starr, was lying all the time and is a perjurer," said Attorney Robert Barnes of the Bernhoft Law Firm, who won acquittals for the actor on the most serious charges. "If the government has any honor, they will move to dismiss all charges against Wesley immediately."

Snipes, 47, was found guilty of three misdemeanor counts of willfully failing to file federal tax returns.

Snipes, who is free on bond and has been granted permission to travel out of the country for film work, is awaiting an opinion from the U.S. Circuit Court of Appeals, which reviewed his convictions and three-year sentence.

During Snipes' trial in Ocala, Barnes and co-counsel Robert Bernhoft accused Starr of fraud and suggested that he had persuaded the actor to invest in the doomed Planet Hollywood restaurant franchise.



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"The indictment of Mr. Starr raises serious issues about whether Snipes' misdemeanor tax convictions must be set aside now that the government has admitted their lead witness in their case against Snipes was defrauding his clients and committed both perjury and fraud to cover up that fraud," Barnes said in an email to the Orlando Sentinel.

Best known as "Blade," a vampire-killing hero, Snipes, a graduate of Jones High School in Orlando, was accused of dodging taxes on an estimated \$38 million that he earned from films and investments from 1999 to 2004.

The federal jury found him guilty of three tax-related misdemeanors but not guilty of conspiring to commit fraud, evade taxes and impede the Internal Revenue Service, charges that could have put him in prison for 16 years.

A Lake County co-defendant, Eddie Ray Kahn, 66, who was found guilty of all charges, was sentenced to 10 years in prison. Kahn headed American Rights Litigators and Guiding Light of God Ministries, Mount Dora-based organizations that sold tax-dodging schemes and dispensed advice on how to avoid taxes.

Starr, who owned Starr & Associates in New York, is not related to Kenneth Starr, the former independent counsel who investigated President Clinton's Whitewater investments and relationship with intern Monica Lewinsky.

During Snipes' trial, Starr testified that the movie star became his client in the early 1990's at the height of his box-office popularity and that he had handled the actor's taxes before Snipes became involved with Kahn.

Starr testified that he tried to persuade Snipes to pay his federal taxes, warning him that he could go to prison if he listened to Kahn and ignored his federal income-tax obligation. He also remembered Snipes saying, "You always think you're right and you always think you know everything. You're not right about this."

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