Criminal Probe of Magnitsky, Hermitage Concluded

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CORRECTION APPENDED

Interior Ministry investigators have wrapped up the case against lawyer Sergei Magnitsky and his employer, Hermitage Capital CEO William Browder, the company said in a statement Tuesday.

Magnitsky was arrested in 2008 on tax-evasion charges against Hermitage Capital. The 37-year-old died in pretrial detention in 2009 before any charges were filed. While in jail, he was denied treatment for a severe medical condition.

His supporters claim that the case against him was law enforcement's revenge for accusing tax and police officials of a $230 million tax scam.

Magnitsky's mother, Natalia Magnitskaya, received a letter from investigator Boris Kibis dated Feb. 3 saying the agency had finished its preliminary investigation and was ready to pass its findings along to a court, Hermitage Capital said in a statement.

If the case is accepted, Magnitsky will be tried posthumously in accordance with last year's Constitutional Court ruling that allows for posthumous proceedings so relatives have a chance to clear a defendant's name.

"I repeat to you that if the relatives do not have an interest that justifies a further continuation of the case, including the desire to protect the honor and dignity of the deceased, this case proceeding may be ceased by the investigator," Kibis was quoted as writing in the statement.

Magnitsky's relatives have repeatedly opposed his prosecution, but the case has not been closed so far.

If the case goes to trial, Browder, who had his visa application to Russia denied in November 2005 London since, will be charged in absentia.

Correction: An earlier version of this article stated that Hermitage Capital CEO William Browder fled Russia when his company began to be pursued by authorities. In fact, Browder's visa application was denied by Russia in November 2005 and he has not returned to the country since.