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# Magnitsky Doctor No Longer Faces Charges

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Sergei Magnitsky's mother, Natalya, holding a portrait of her son in 2009. **Alexander Zemlianichenko**

Criminal charges against a former prison doctor implicated in the death of lawyer Sergei Magnitsky have been dropped because the statute of limitations ran out, Magnitsky's former employer and officials said Monday.

Larisa Litvinova, the former doctor at the Butyrskaya prison responsible for supervising Magnitsky's health, had been charged with causing death by negligence.

But "in December 2011, amendments to the Criminal Code reduced the statute of limitations for several charges," including the one against Litvinova, the Investigative Committee said in a statement.

The decision was made last week but was not announced until Monday. The amendments were part of "the humanization of the legal system" in Russia, a brainchild of President

Dmitry Medvedev.

Litvinova was one of only two officials charged in the death of the 37-year-old lawyer. But she was seen as a scapegoat by Magnitsky's supporters.

Magnitsky, who would have turned 40 on Sunday, was severely beaten and died untreated in detention after 11 months in jail.

The Interior Ministry accused him of organizing the $230 million theft that Magnitsky had reported, and it closed the case without bringing charges against any of the officers.

The investigation concluded in October, and until Friday Magnitsky's legal representatives had been studying dozens of its volumes.

The decision not to prosecute Litvinova was condemned by Magnitsky's former employer, Hermitage Capital Management.

It is seeking prosecution of the dozens of Russian officials it says were involved in the case.

"It has become clear today that the whole process of prosecution of the scapegoats in Sergei's death has been aimed at creating an illusion that at least someone would be punished," a spokesman for the company said in an e-mailed comment from London.

An independent inquiry held at the request of the Kremlin's human rights council concluded that Magnitsky had been repeatedly denied medical treatment in an effort to get him to testify against the company's officials.

The other official charged in the case is Dmitry Kratov, the deputy director of the prison whose responsibility included health care.

He has been charged with carelessness. If found guilty, he could be imprisoned for up to three years. The investigators said Monday that the case against him is still pending.

The cases against Kratov and Litvinova were opened in August and July, but the investigators noted in the statement that the inquiry was hindered by the hospitalization of both defendants during August and September.

Both Litvinova and Kratov are on a list of 60 Russian officials Magnitsky's supporters have asked Western governments to sanction with travel restrictions and asset freezes.

The United States has barred several officials from entering the country, but their names haven't been disclosed yet. European governments are considering similar bans for the listed Russians.

Separately, the Constitutional Court ruled Monday that the posthumous prosecution of Magnitsky is legal. Earlier, Magnitsky's relatives filed a lawsuit against the renewal of the inquiry, which had been closed after his death.

The family has repeatedly objected to the reopening of the case, but law enforcement has continued the investigation.

The court's Monday ruling confirmed that the investigation has legal grounds because it may lead to Magnitsky's rehabilitation. But if the investigators find evidence alleging him of wrongdoing, the case will finally go to court — but without Magnitsky.

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