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Mirzayev Victim's Family Seeks Appeal

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Rasul Mirzayev **Igor Tabakov**

The family of Ivan Agafonov, who died after being punched by mixed martial arts champion Rasul Mirzayev, on Thursday appealed Mirzayev's conviction on manslaughter charges as too lenient.

A Moscow court convicted Mirzayev, 26, on charges of manslaughter and sentenced him to two years of limited freedom on Nov. 27. It released Mirzayev immediately because the Dagestani native had already spent about 15 months in pretrial detention, where each day served counts for two days in prison.

Agafonov family lawyer Oksana Mikhalkina called the court decision "illegal, unfounded, unjust and carried out with the grossest violations of the criminal procedure code," BFM.ru reported. The family is seeking a new trial.

"We think that not only was Mirzayev given too lenient a sentence, but also we are speaking out against the consideration of his actions under a more lenient article of the Criminal

Code," Mikhalkina said in comments carried by Itar-Tass.

After the court announced the sentence, nationalists promised to repeat the December 2010 mass rally on Manezh Square against the killing of football fan Yegor Sviridov by a North Caucasus native. A small group of nationalists protested in St. Petersburg on Saturday to demand a review of the court decision as well as changes to gun control regulations.

Mirzayev struck the 19-year-old Agafonov in the head during a quarrel outside the Garazh night club on Aug. 15, 2011, after which Agafonov fell and hit his head on the asphalt. He died in the hospital three days later.

Investigators originally charged Mirzayev with intentionally injuring Agafonov, but state prosecutors sought the less serious charge of manslaughter, which carries a maximum prison term of two years.

Mirzayev turned himself in to police after Agafonov's death and said after his release that he didn't want to kill him and was willing to help the grieving family.

According to Mikhalkina, the court has yet to set a date to review the complaint.

In related news, a criminal case for armed robbery opened against Agafonov and two others in May 2011 was passed to Moscow's Tushkinsky District Court on Nov. 29.

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