

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

REZA DINDAR,

Defendant.

NO. CR14-244 RSM

UNITED STATES' SENTENCING
MEMORANDUM

I. Introduction.

Reza Dindar evaded national security controls designed to prevent sensitive military technology from being exported into Iran. By providing false information to the manufacturer and the U.S. government, Dindar subverted these export control laws and surreptitiously exported three military grade Sonar systems from the United States to Iran, via China. For this serious offense conduct, the Court should sentence Dindar to 18 months in prison and a three-year term of supervised release, with all of the conditions recommended by the Probation Office.

//

//

//

II. The Sentencing Guidelines Calculations.

The government concurs with the Sentencing Guidelines calculations in the Presentence Report. Specifically, the total offense level is 21; Dindar falls within Criminal History Category I; and there is a resulting advisory Guidelines range of 37-46 months.

III. Sentencing Recommendation.

The government recommends that the Court sentence Dindar to a total term of imprisonment of 18 months and a term of supervised release of three years, with all the conditions of supervised release recommended by the Probation Office. The various statutory sentencing factors support a custodial sentence of 18 months in this case, including, most prominently, the nature and circumstances of the offense; the need for the sentence imposed to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment; the history and characteristics of the defendant; and the need for the sentence to afford adequate deterrence to criminal conduct.

A. The Nature/Circumstances of the Offense and the Need for the Sentence to Reflect the Seriousness of the Offense and to Provide Just Punishment.

Dindar's offense was serious. He subverted U.S. national security controls by exporting sensitive military Sonar systems to Iran. These Sonar systems were controlled by the Department of Commerce for anti-terrorism reasons. PSR ¶ 9. Dindar's email communications make clear that he was aware of the U.S. Iran sanctions regime and knew the Sonar systems were sensitive military technology. *See* Plea Agreement at 8 (emails referring to the embargo and sanctions against Iran as the "Iranian sanction situation" or the "sanctions problem"); Plea Agreement at 7 (email describing the Sonar systems as a "sensitive . . . military part[s]"). Dindar arranged to ship the Sonar systems from the U.S. to China, and thereafter surreptitiously into Iran, by causing the filing of false export declarations stating that the end user of the systems was in China and that no export license was required for the exports. PSR ¶ 11.

