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Extradited Money Laundering Suspect May Walk Free in St. Thomas Due to Insufficient Evidence

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Nyron Erickson By. BVI ROYAL POLICE FORCE

A man accused of money laundering and cash smuggling who was extradited from the British Virgin Islands to stand trial in St. Thomas on federal charges, might soon walk free after prosecutors moved to dismiss the indictment.

The trial of Nyron Erickson was supposed to begin on Tuesday. However, in a motion filed last week, the U.S. Attorney's Office indicated that the evidence available to prosecutors "would not permit a properly instructed jury to find beyond a reasonable doubt that the defendant is guilty."

Although the August 17 motion stated that opposing counsel had no objections, Erickson's

defense team did take exception to the attempt to dismiss, saying that unless prosecutors clearly indicate that the charges will not be refiled, the court must reject the move.

Despite reportedly agreeing to dismiss the charges “with prejudice” during a telephone conversation with defense attorneys, the official motion from prosecutors did not speak to whether the proposed dismissal order would be with or without prejudice. With no clarifying information before the court, the defense then laid out their argument for why the case should be dismissed with prejudice.

A case dismissed with prejudice means it cannot be brought again on the same claim. Likewise, a case dismissed without prejudice means that while the case is dismissed, it can be refiled.

Erickson’s named co-defendants, Akil Erickson and Mikiel Robin, were both arrested in October 2018 after authorities found them with undeclared cash after arriving from Tortola by ferry. In August 2020, Nyron Erickson turned himself in to police in the British Virgin Islands in connection with allegations of an international money laundering conspiracy. After a lengthy legal battle, he was extradited to the U.S. in February 2023.

However, his defense counsel notes that the prosecution's limited evidence against their client was not able to be presented in court because the relevant witness could not be located. Even if the alleged co-conspirator could be brought to court, Erickson’s lawyers argued that his statement still may not be admissible evidence. The second piece of evidence against Erickson, a text message purportedly sent by him to Akil, was also dubious, argued the defense.

With prosecutors now having had years to prepare their case against Erickson with little success, the defense argues that if the charges are dismissed, they must be gone forever. Allowing prosecutors to refile at a later date would be harassment, as that would “only serve the purpose of extending Nyron Erickson’s anxiety that the force and weight of the United States Government will again be used to attempt to convict him of crimes with evidence that it failed to obtain in its first bite at the apple and likely will never be able to obtain.”

The court has ordered the government to file a response to the motion by Thursday, August 24.

The case against Akil Erickson and Mikiel Robin was dismissed by the court in June 2020 after District Court Judge Robert Molloy found that prosecutors had deliberately dragged their feet on bringing the matter to trial. The charges against the two men were dismissed with prejudice.