

MegaUpload: US regulators FAIL yet AGAIN

by styx *Monday, Apr 23 2012, 10:31pm*

international / mass media / commentary

In the wake of the ANONYMOUS digital underground exposing to the entire WORLD the tragic incompetence and ineptitudes of the FBI, Scotland Yard and Security Company Stratfor, another HUGE bungle has now become evident in the MegaUpload case.



We should note that US based corporate media forces recently [failed in a legal challenge](#) against Oz ISP, iiNet, for allowing file/data sharing. Hollywood corporates hoped they could sway Australian courts as easy as their Wall St counterparts manipulate spineless politicians in Canberra, but the yanks have a lot to learn about Oz DEMOCRACY; we do not have a centralised, fascist system pretending democracy in operation here, a glance at the fate of the Labor Party in every State for BETRAYING the trust of the PEOPLE, is a clear indication of a robust, healthy citizenry -- Carbon Tax and FIVE US nuclear armed bases, are waiting for Gillard at the next Federal election -- are you people completely BEREFT or just pathologically dissociated?

In contrast to the US, where Corporatists run everything, including Washington and the 'Legal' system, Oz courts, though under extreme pressure from big business, maintain their integrity to a very large extent, which pisses yankee corporates and transnationals no end.

However, the most glaring aspect of recent breaches, hacks and exposures is the flagrant criminality or illegal actions of US regulatory agencies at home and abroad. These goons imagine they are dealing with genitally groped and cowering Americans and can get away with murder, literally at times. NOT SO on foreign soil and their roughshod methods are failing in every social arena except the criminal, where Americans perform best and are most comfortable -- I wonder why?

Kim Dotcom of MegaUpload is furious and is justifiably on the attack over the vandalism, (planned) destruction of data and company infrastructure suffered at the hands of US regulators on New Zealand soil; and this notwithstanding, breaches of law relating to warrants and other documented alleged improprieties.

We have no illusions whatsoever regarding American criminal behaviours, WMD, WTC7, Libya, multiple revised Bin Laden assassination stories, etc. It is clear US State VANDALS/criminals planned the destruction of data and infrastructure in order to cripple the company in the event of an unsuccessful legal challenge; these methods are so typically American they are impossible to disregard.

We should note the methods utilised against tactically inept, glamour boy, Julian Assange and bear in mind that Kim Dotcom does not seek notoriety or fame, he seeks JUSTICE, compensation and the EXPOSURE, by consequence, of the Hollywood Corporate push behind the FBI's servile and inept criminal behaviour.

What is clear is that Dotcom and the ANONYMOUS digital underground have dealt more effective blows against corporate criminality than any other force in existence today -- TAKE NOTE, everyone!

Indeed, it is the DIGITAL VANGUARD -- as all other contenders, 'Occupy', have proven abysmally ineffective -- that will effect permanent change in our world today. Go get 'em Mr Kim Dotcom and onward to all the anon crewz!

Report from Torrent Freak follows:

Megaupload Trial May Never Happen, Judge Says

[Faced with glaring improprieties] A US judge has put a bomb under the Megaupload case by informing the FBI that a trial in the United States may never happen. The cyberlocker was never formally served with the appropriate paperwork by the US authorities, as it is impossible to serve a foreign company with criminal charges.

The US Government accuses Kim Dotcom and the rest of the "Mega Conspiracy" of running a criminal operation.

Charges in the indictment include engaging in a racketeering conspiracy, conspiring to commit copyright infringement, conspiring to commit money laundering and two substantive counts of criminal copyright infringement.

While the prosecution is hoping to have Megaupload tried in the US, breaking news suggests that this may never happen.

It turns out that the US judge handling the case has serious doubts whether it will ever go to trial due to a procedural error.

"I frankly don't know that we are ever going to have a trial in this matter," Judge O'Grady said as reported by the NZ Herald.

Judge O'Grady informed the FBI that Megaupload was never served with criminal charges, which is a requirement to start the trial. The origin of this problem is not merely a matter of oversight. Megaupload's lawyer Ira Rothken says that unlike people, companies can't be served outside US jurisdiction.

"My understanding as to why they haven't done that is because they can't. We don't believe Megaupload can be served in a criminal matter because it is not located within the jurisdiction of the United States," Rothken says.

Megaupload's lawyer adds that he doesn't understand why the US authorities weren't aware of this problem before. As a result Judge O'Grady noted that Megaupload is "kind of hanging out there."

If this issue indeed prevents Megaupload from being tried in the US, it would be a blunder of epic proportions. And it is not the first “procedural” mistake either.

Last month the New Zealand High Court declared the order used to seize Dotcom’s property “null and void” after it was discovered that the police had acted under a court order that should have never been granted.

The error dates back to January when the police applied for the order granting them permission to seize Dotcom’s property. Rather than applying for an interim restraining order, the Police Commissioner applied for a foreign restraining order instead.

The exact ramifications of the failure to serve will become apparent in the near future.

Copyright applies to external text.

<http://torrentfreak.com/megaupload-trial-may-never-happen-judge-says-120420/>

Cleaves Alternative News. <http://cleaves.lingama.net/news/story-3175.html>